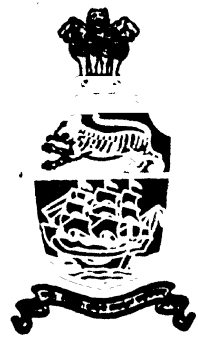
Vol. II.



Assembly Proceedings

Official Reports

West Bengal Legislative Assembly

Second Session (September), 1950

(From 25th September to 6th October, 1950)

The 25th, 26th, 27th, 28th, and 29th September and 3rd, 4th, 5th and 6th October, 1950

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WEST BENGAL LEGISLATIVE ASSEMBLY

PRINCIPAL OFFICERS.

SPEAKER.

The Hon'ble ISWAR DAS JALAN.

DEPUTY SPEAKER.

Sj. ASHUTOSH MALLICK.

SECRETARY.

Sj. AJITA RANJAN MUKHERJEA, M.SC., B.L.

SPECIAL OFFICER.

Sj. CHARU CHANDRA CHOUDHURI, B.L., ADVOCATE.

REGISTRAR.

Janab RAFIQUR RAHMAN, M.A., B.L.

ALPHABETICAL LIST OF MEMBERS.

A

Abdul Wahid Sarkar, Janab. [Hooghly.]
Abdulla, Janab S. M. [24-Parganas Municipal.]
Abdur Rahman Siddiqi, Janab. [Muslim Chamber of Commerce.]
Abdul Hashem, Janab. [Burdwan.]

B

Badrudduja, Janab Syed. [Jangipur.]
Bandyopadhyay, Sj. Pramatha Nath. [Midnapore South-West.]
Banerjee, Sj. Sibnath. [Howrah (Registered Foctories).]
§Banerjee, Sj. Susil Kumar. [Howrah.]
Banerji, Dr. Suresh Chandra. [Calcutta and Suburbs (Registered Factories).]

Note :—Sj. stands for Srijut, and Sja. stands for Srijukta.
§Chief Government Whip.

Barman, The Hon'ble Syama Prasad. [West Dinajpur-*cum*-Malda.]
Basu, Sj. Jyoti. [Railway Trade Union.]
Bhandari, Sj. Charu Chandra. [24-Parganas North-West.]
Bhattacharyya, Sj. Shyamapada. [Murshidabad.]
Bhowmick, Sja. Bina. [Calcutta General.]
Brahmin, Sj. Ratanlal. [Darjeeling Sadar.]

C

Chakravarty, Sj. Satish Chandra. [Northern Districts Municipal.]
Chatterjee, Sj. Haripada. [Nadia.]
Chaudhuri, The Hon'ble Rai Harendra Nath. [Bankura East.]
Choudhury, Sj. Annada Prosad. [Jhargram-*cum*-Ghatal.]
Clarke, Mr. C. E. [Calcutta Trades Association, Indian Jute Mills Association, Indian Tea Association and Indian Mining Association.]

D

Das, Sj. Radha Nath. [Hooghly North-East.]
Das Gupta, Sj. Khagendra Nath. [Jalpaiguri-*cum*-Siliguri.]
*Dass, Sj. Kanailal. [Burdwan Central.]
De, Sj. Kanai Lal. [Bankura West.]
*Dolui, Sj. Harendra Nath. [Jhargram-*cum*-Ghatal.]
Dutt-Mazumdar, The Hon'ble Niharendu. [Barrackpore (Registered Factories).]

G

Ganguli, Sj. Bepin Behari. [24-Parganas Municipal.]
Gayen, Sj. Arabinda. [Howrah.]
Ghose, Sj. A. K. [Bengal National Chamber of Commerce.]
Ghose, Sj. Bimal Comar. [Bengal National Chamber of Commerce.]
Ghose, Dr. P. C. [Birbhum.]
Golam Hamidur Rahman, Janab. [West Dinajpur.]
Gomes, Mr. D. [Calcutta-*cum*-Presidency Division.]
Gupta, Sj. J. C. [Calcutta South Central.]

H

Haldar, Sj. Kuber Chand. [Murshidabad.]
Husan Ara Begum, Janab. [Calcutta.]

J

†Jalan, The Hon'ble Iswar Das. [Calcutta West.]
Jasimuddin Ahmed, Mr. [24-Parganas, South.]

---

*Parliamentary Secretary.

†The Hon'ble Speaker.

K

Kazem Ali Mirza, Shahibzada Kawan Jah Saiyid. [Murshidabad South-West.]
Khuda Bukhsh, Janab Md. [Berhampore.]

M

Mahammad Sayed Mia, Janab. [Malda.]
Mahanty, Sj. Charu Chandra. [Midnapore Central]
Mahtab, Sj. Uday Chand, Maharajadhiraj Bahadur of Burdwan. [Burdwan Landholders.]
Maiti, The Hon'ble Nikunja Behari. [Burdwan Division North Municipal.]
*Majhi, Sj. Nishapati. [Birbhum.]
Majumdar, The Hon'ble Bhupati. [Hooghly-*cum*-Howrah Municipal.]
Mal, Sj. Iswar Chandra. [Midnapore South-East.]
†Mallick, Sj. Ashutosh. [Bankura West.]
Mandal, Sj. Annadaprasad. [Burdwan North-West.]
*Mandal, Sj. Bankubehari. [Burdwan North-West.]
*Mandal, Sj. Krishna Prasad. [Midnapore Central.]
**Mandal, Sj. Umesh Chandra [Cooch Behar.]
Mohamad Rafique, Shaikh. [Calcutta North.]
Molla Mohammad Abdul Halim, Janab. [Nadia.]
Mookerjee, The Hon'ble Kalipada. [Calcutta East.]
Mudassir Hossain, Janab. [Birbhum.]
Muhammad Idris, Janab. [Howrah.]
Muhammad Quaruddin, Janab. [Barrackpore Municipal.]
Muhammad Siddique, Dr. Syed. [Bankura.]
Mukherji, Sj. Dhirendra Narayan. [Hooghly North-East.]
Murarka, Sj. Basantlal. [Calcutta Central.]
Musharruff Hossain, Janab. [Jalpaiguri-*cum*-Darjeeling.]

N

Nandy, Maharaja Sris Chandra, of Cossimbazar. [Presidency Landholders.]
*Naskar, Sj. Ardhendu Sekhar. [24-Parganas North-West.]
Naskar, The Hon'ble Hem Chandra. [24-Parganas South-East.]

P

Panja, The Hon'ble Jadabendra Nath. [Burdwan Central.]
Pentony, Mr. L. R. [Anglo-Indian.]
Platel, Mr. R. E. [Anglo-Indian.]
Poddar, Sj. Anandilal. [Marwari Association.]
*Pramanik, Sj. Rajani Kanta. [Midnapore East.]

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*Parliamentary Secretary.
†Deputy Speaker.
**Nominated Member.

R

Rai, Sj. Sheo Kumar. [Darjeeling.]
Ricketts, Mrs. E. M. [Anglo-Indian.]
Roy, The Hon'ble Dr. Bidhan Chandra. [University.]
Roy, Sj. Jajneswar. [Jalpaiguri-*cum*-Siliguri.]
**Roy Singh Sarker, Sj. Satish Chandra. [Cooch Behar.]

S

Sarker, The Hon'ble Nalini Ranjan. [Indian Chamber of Commerce.]
Sen, Sj. Debendra Nath. [Colliery (Coal Mines).]
Sen, The Hon'ble Prafulla Chandra. [Hooghly South-West.]
Serajuddin Ahammad, Janab. [Midnapore.]
Shamsul Huq, Janab. [Calcutta South.]
Sinha, The Hon'ble Bimal Chandra. [24-Parganas South-East.]

W

Walker, Mr. J. R. [Bengal Chamber of Commerce.]
Wilks, Mr. G. C. D. [Anglo-Indian.]

Z

Zaman, Janab A. M. A. [Hooghly-*cum*-Serampore (Registered Factories).]

**Nominated member.

THE WEST BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

Official Reports of the Second Session

Volume II.

Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 25th September, 1950, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble ISWAR DAS JALAN) in the Chair, 11 Hon'ble Ministers and 56 members.

Oath.

Mr. SPEAKER: Any member present who has not made an oath or affirmation of allegiance should come and take the oath or affirmation of allegiance.

The following members then took the oath or affirmation of allegiance:—

(1) The Hon'ble Niharendu Dutt-Mazumdar,

(2) Sj. Iswar Chandra Mal, and

(3) Sj. Ratanlal Brahmin.

Panel of Chairmen.

Mr. SPEAKER: In accordance with the provisions of rule 7 of the West Legislative Assembly Procedure Rules, I nominate the following members to form a Panel of Chairmen for the ensuing Session:—

(1) Sj. J. C. Gupta,

(2) Janab Abdur Rahman Siddiqi,

(3) Sj. Radha Nath Das,

(4) Mrs. E. M. Ricketts.

Unless otherwise arranged the senior member among them present in the above order will preside over the deliberations of this Assembly in my absence and in the absence of the Deputy Speaker.

Arrest of Sj. Jyoti Basu and resignation of Sj. Hemanta Kumar Basu.

Mr. SPEAKER: I have been informed by the Government that Sj. Jyoti Basu was arrested under the Preventive Detention Act of 1950 on the 1st of September, 1950, and committed to the Presidency Jail. I have also to inform the House that Sj. Hemanta Kumar Basu has, by writing under his hand addressed to the Hon'ble Speaker, resigned his seat as a member of the West Bengal Legislative Assembly from Calcutta North (General) Constituency on the afternoon of the 8th July, 1950.

Janab Md. KHUDA BUKHSH: On a point of information, Sir. As you have just read out a letter to the effect that Sj. Jyoti Basu, an honourable member of this House, has been committed to prison, I have also received a letter from him asking me to move the necessary motion for the condonation of his absence.

Mr. SPEAKER: Under the Constitution as soon as I get information of any member of the House being arrested by Government, I think it is my duty to place the matter before the House. So far as the condonation of his absence is concerned, that should come later on.

The Hon'ble Dr. BIDHAN CHANDRA ROY: You can move it later.

Janab MD. KHUDA BUKHSH: Sir, I merely mention it, and I do not want to move my motion today.

Arrival of His Excellency the Governor into the Chamber.

[At this stage the Secretary and the Special Officer of the Assembly left the Chamber. His Excellency the Governor was received by the Secretary on the stairs and the Special Officer announced from the south door of the Chamber to the Hon'ble Speaker that His Excellency the Governor was without. The Hon'ble the Speaker preceded by the Marshal then left the Chamber.

The Hon'ble the Speaker met His Excellency in the centre of the inner square under the small dome in the vestibule. His Excellency then entered the Chamber in a procession in the following order:—

Marshal with the Mace.

Special Officer,

Secretary to the Assembly,

The Hon'ble the Speaker,

His Excellency,

Secretary to His Excellency the Governor, A.D.C.]

Mr. SPEAKER: I invite Your Excellency to take the Chair and deliver your address.

Thereupon His Excellency took the Chair and delivered the following speech.

Speech by His Excellency the Governor under Article 176 of the Constitution of India.

Mr. Speaker and Members of the Legislative Assembly,

May I, at the outset, express on your behalf and my own, our profound distress at the calamity which has overtaken the sister State of Assam. We are bound to our brethren of Assam by near ties of blood and long-standing close association, and whatever affects them touches us deeply. We share their joys and sorrows. My Government has already made a contribution of Rs. 25,000 as a token of their warm sympathy with the people and Government of Assam, and I am confident that people of West Bengal will render all possible assistance in men, money and materials in relief operations. This year has been unfortunately notable for widespread floods, causing great damage, among others, to some parts of Bihar. Like Assam, we hold Bihar in great regard and affection, and I beg to extend our sympathy, in your name, with them in their affliction.

You are all aware of the recent unfortunate happenings in both Bengals which led the Prime Ministers of India and Pakistan to meet in April last as the result of which the Delhi Pact was concluded on April 8, 1950. The immediate effect of this Agreement was the cessation of mass assaults and violence and soon after, in accordance with the terms of the Agreement, movement of migrants with their belongings from one side to the other became easy. I am glad to notice that the number of migrants moving in

and out of West Bengal has gone down greatly during the last few weeks. Figures of such migration have been notified in the Press by my Government from day to day. While the harassment of migrants from East Bengal during transit has lessened a great deal since the Delhi Pact it is difficult, however, to say to what extent the main objective of the Pact has been achieved, namely, the creation of conditions in East Bengal whereby confidence of the minorities may be restored. I am happy to be able to state, however, that since the Pact my Government have been able, by energetic action, to create such conditions in my State where, as the migration figures show, larger numbers of Muslim migrants are coming back and are being restored to their former life. It appears also clear that the great bulk of Hindus who have come away from East Bengal will not return and, therefore, the problem before my Government is to devise means for their rehabilitation.

The Delhi Pact provides a machinery for the restoration of the immoveable property of migrants in case they choose to return within a prescribed period. If they do not return, they continue to retain their ownership over such property. For conferring a legal status on such an arrangement an Ordinance has been promulgated empowering the State to deal with vacated properties under certain conditions and you will be requested to enact legislation on the basis of its provisions.

One of the provisions of the Delhi Pact is that a Commission of Enquiry should be set up "to enquire into and report on the causes and extent of the recent disturbances and to make recommendations with a view to preventing recrudescence of similar trouble in future". You are aware that a Commission of Enquiry has been set up in my State under an Ordinance and it has been making investigations as enjoined in the Pact. You will be asked to approve of a Bill to replace this Ordinance.

On a rough computation it appears that the total number of refugees who have come over from East Bengal since the 15th August, 1947, would be about 40 lakhs. Many amongst them have already fitted themselves into the economic life of the State. But there are many who are still waiting in great distress to have an opportunity of settling themselves in West Bengal. You are aware that during the months of April, May, June and July migration from East Bengal was so great that the transit camps in West Bengal were overflowing and even the platforms at the Sealdah Railway Station were overcrowded with men, women and children anxious to get shelter and food. This was not only very unhygienic but also proved to be very inconvenient to passengers who normally travel by trains from Sealdah. Arrangements were made to provide food for these unfortunate people until the Refugee Rehabilitation Department of my Government could arrange for their removal from the railway platforms. We are thankful that we have at last succeeded in clearing the platforms and putting these men in regular camps or in rehabilitating them. By acquiring land or leasing khas mahal lands and by helping them to acquire property with their own money, my Government have been able to rehabilitate nearly 11 lakhs of people up to date. This is very encouraging but we have still a great leeway to make up. One of the methods which has recently been adopted by my Government seems to have great possibilities. Villages in West Bengal, in many cases, are not self-sufficient units in respect of different services vitally necessary for a self-contained rural economy. Many villages, for instance, would welcome a resident carpenter or a blacksmith or a potter or a fisherman among them. The Refugee Rehabilitation Department of my Government have approached each union board to take in a certain number of families into the villages of the union. It has been possible, by surveying the types of people in the camps, to allot to a village such artisans of different categories as would usefully fit into its economic life.

The total amount of money spent for relief and rehabilitation up to June, 1950, is about Rs. 6 crores. We have acquired plots of land and developed and distributed them amongst the refugees. We have built thousands of houses and allotted them to the migrants. Many refugee students have been accommodated in existing institutions some of which have been running in double shifts. We have opened 400 primary schools where 40,000 refugee pupils are being taught. Four hundred teachers have been employed in these primary schools. We have also arranged additional accommodation in 100 secondary schools for refugee boys and employed 500 teachers for them.

Calcutta has not only been overcrowded with refugees seeking shelter here, but a very large number of students anxious to obtain higher education have also come into this city. The Government of India have, on the urgent representation of my Government, allotted a sum of Rs. 70 lakhs for the dispersal of refugee students and this scheme is being implemented and will soon come into operation. Efficient high English schools in the districts have been raised to the Intermediate standard and Intermediate colleges have been strengthened with money and necessary equipment. It has been so arranged that these institutions in the districts do not suffer in efficiency by comparison with the Calcutta colleges. This will result in stopping the overcrowding of the Calcutta colleges. Besides opening new colleges in the districts, many technical schools which were inefficient have been strengthened and three new schools have been opened under the supervision of the Chittaranjan Locomotive Works, the Jadavpore Technical College and the Shibpore Engineering College.

The influx into West Bengal of a large number of refugees—starving or ill-nourished, weak and distressed—has increased the incidence of illness not only amongst them but amongst the local population. The tuberculosis problem has become an acute source of anxiety to my Government. A large number of beds has been opened in the different hospitals to accommodate the increasing number of sick persons in this State. Two new hospitals for tuberculosis, one at Digri and another at Beliaghata, have been opened to accommodate 350 patients. In Medical College and in Kanchrapara Hospital the number of tuberculosis beds has been increased. My Government have given aid to new hospitals for treatment of cancer. Nearly 60 Thana and Union Health Centres have been opened in the course of this year and another 60 will be opened before the end of the next year which will, again, give relief to the villagers who cannot come to the district hospitals. In this field there is plenty of scope for private enterprise on the part of public-spirited citizens.

I am distressed to find that the food situation in the State continues to cause anxiety to my Ministers. One of the many reasons for the difficult food position in West Bengal has been the diversion of more than two lakh acres of paddy lands in certain districts to the cultivation of Jute. Drought at the beginning of the cultivating season has affected greatly the output of Aus paddy in many areas. The influx of a very large number of refugees has resulted in an increased demand on our limited food resources. The State has also been visited by natural calamities which have affected the North Bengal districts to a great extent. The abnormal floods in the districts of Jalpaiguri, Malda, Nadia and Midnapore have destroyed considerable quantities of paddy just at the time of harvesting, and family stocks of rice and paddy have also been destroyed or washed away. It is natural that, under such circumstances, prices soared very high even in surplus areas. We had to rush food to these areas in order to bring down the prices. I am glad to say that, in spite of all these unfortunate happenings and handicaps, my Government have been able to maintain a regular flow of food supply up till now. This has been possible because in spite of all that has happened,

the State procurement of foodgrains has been fairly satisfactory and indeed more favourable than at this period last year. The Government of India have also given us such help as they could, considering the very difficult food situation in the country as a whole.

West Bengal is very poorly provided with roads and means of communication. Two years ago a separate roads organisation was established for the planning and construction of roads in West Bengal. Roads are necessary not merely as a means of communication for the people, but they are also essential for transport of food, for the execution of health and educational measures, for purposes of security and maintenance of law and order and for protecting the border between India and Pakistan. A programme for constructing 12,700 miles of road at a cost of Rs. 129 crores was drawn up. This excludes about 550 miles of roads under the National Highway system. The programme was divided into four stages of five years each. The first stage of construction of 2,100 miles of roads at a cost of Rs. 32 crores is being implemented, of which nearly half is about to be completed by the end of this year. As the result of the calamity which fell on the Darjeeling district in June this year, roads in that area have been very badly damaged. It has been estimated that there were 75 lakhs c.ft. of landslips as well as road subsidence in 43 places. There were breaches in 189 places and damage to 38 culverts and bridges. While the cost of restoring communications for immediate use is about Rs. 12·5 lakhs, the ultimate cost for the complete reconstruction of the roads is estimated to be Rs. 110 lakhs. The Darjeeling Hill Cart Road, the Teesta Valley Road and the Peshoke Road were all damaged. Men of the Works and Buildings Directorate of my Government, from the Chief Engineer down to the Work-Sarkar, did everything humanly possible and I am glad to say that it was only through their unremitting efforts that most of the roads were thrown open to vehicular traffic within three weeks of the disaster except at one spot on the Cart Road. More than 8,000 labourers worked to effect the quick restoration of the road traffic. Repair and improvement of the old Military Road from Kurseong Dow Hill to Ghoom was also taken up immediately after the disaster. The combined efforts of the Military, the Forest Department and the Darjeeling Planters' Association resulted in the road being quickly repaired and I am glad that it is now jeepable and will soon be thrown open to general traffic.

West Bengal has always been deficient in food and it is essential that steps should be taken to increase food production in the State. With this object in view a very large number of tanks have been excavated to provide better irrigation facilities. A number of small and large irrigation schemes have also been taken in hand and it is expected that by March, 1951, a part of the Mayurakhsi Project will be completed. One lakh acres of land will be brought under cultivation next year and we expect to get extra 60,000 tons of foodgrains.

The financial position of the State to which I referred in my last address continued to be difficult and has been rendered still more difficult because of the many unforeseen and pressing problems which are facing my Government. The problem of restoring to normalcy the ravaged areas of the Darjeeling and Jalpaiguri districts has increased the financial burden enormously.

Supplementary Estimates for the public services will be laid before you and you will be asked to approve them in due course. A Bill will be placed before you for the establishment of a Contingency Fund for the State to enable necessary withdrawals to meet all emergent and unforeseen expenditure pending your formal approval of such expenditure by Appropriation Acts.

During the past few months there have been no major incidents in the industrial areas. An attempt recently made by some Trade Unions to bring

about a total strike did not materialise. But anti-social elements taking advantage of the uncertain conditions in this State as also the prevailing disturbed conditions in the world never fail to make attempts to create chaos. Strike notices are on the horizon. A large number of traders, manufacturers and industrialists are also trying to take advantage of the war atmosphere of the world by enhancing the prices of essential commodities. My Government as well as the Government of India have taken a serious view of the situation and are determined to enforce an efficient system of control over the prices, storage and sale of the essential commodities. The Anti-Corruption and Enforcement Branch of my Government are following up a very large number of cases where unusual profiteering and blackmarketing have taken place. It is, however, obvious that we need public co-operation before we can eliminate profiteering and blackmarketing. Whenever there is a demand which is greater than the supply, there is a tendency for people to take advantage of the situation. The public can certainly co-operate by refusing to purchase goods at blackmarket prices. It would be a mistake to think that blackmarketing is a one-sided affair. Small buyers always encourage blackmarketing. No one should buy more than what he needs and there should not be needless and excessive buying and storage by consumers.

We are having a census next year and my Chief Minister has issued an appeal to the people to help in making the census as accurate as possible. This will give the State vitally important information regarding the people that inhabit this State, their occupations and their means of livelihood. It will also give us statistics relating to trade and commerce in the State and such other information as is essential to increase the efficiency of the State administration and develop the economic resources of the State and promote the material welfare of the people.

As you are aware, an electoral roll has been prepared in this State for the impending General Election in the next year. This electoral roll is based upon adult suffrage and it is to be hoped that every one has taken advantage of this opportunity of being enlisted for the purposes of exercising his franchise at the next election.

A few Bills relating to local authorities will be placed before you for your consideration. Certain other Bills will be placed in due course, including an important measure for the extension of the State laws to Cooch Behar. All Ordinances promulgated since the last session will be duly laid before you and you will be invited to approve their contents in appropriate enactments.

I pray that you may be blessed with sound judgment by the Almighty for arriving at right conclusions in all these matters.

(His Excellency left the Chamber in procession in the same order as mentioned before.)

Mr. SPEAKER: Ladies and Gentlemen, I have to acquaint the House that His Excellency the Governor was pleased to deliver a speech to this House this day of which for greater accuracy I have obtained a copy which is laid before the House for the information of honourable members.

Point of Privilege.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, I rise on a matter of privilege. We have listened most carefully to the most excellent speech of His Excellency the Governor and may I request His Excellency through you, Sir, to listen to our observations to-morrow and the day after to his most excellent speech?

Mr. SPEAKER: Mr. Banerjee, I could not quite follow your point of privilege. What is it?

Sj. SIBNATH BANERJEE: Sir, we have listened to the speech of His Excellency,—the most excellent speech,—and we request His Excellency through you, Sir, to listen to our observations to some of his most caustic remarks.

Mr. SPEAKER: Mr. Banerjee, you will get ample time to discuss everything that he has said for the next two days, but so far as I am concerned I cannot allow you to make any insinuation.

Sj. SIBNATH BANERJEE: Sir, it is a matter of privilege that His Excellency listens to our speeches.

Mr. SPEAKER: Order, order. No discussion can be allowed at this stage.

Motion for an Address in reply to the Governor's speech.

Sj. SHYAMAPADA BHATTACHARYYA: Sir, I beg to move that a respectful Address in reply be presented to His Excellency the Governor as follows:

"Your Excellency, we, the Members of the West Bengal Legislative Assembly assembled in this session beg to offer our humble thanks to Your Excellency for the most excellent speech which Your Excellency has delivered to this House".

Sj. SUSIL KUMAR BANERJEE: Sir, I second it.

Sj. SIBNATH BANERJEE: Sir, I beg to move the following amendment——

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, is it open to any member to move an amendment at this stage?

Mr. SPEAKER: The motion has been moved and the House will now stand adjourned and a time will be given during which you are to send your amendments to office. They will be cyclostyled and circulated to members. We shall discuss all the amendments to-morrow and therefore you will send your amendments to office.

Sj. SIBNATH BANERJEE: Sir, it is my privilege to move my amendment just now.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I hope, Sir, he will not interrupt all the time the business of the House in this fashion.

Mr. SPEAKER: There are certain rules which have to be followed and before I can allow you, Mr. Banerjee, to move an amendment, I have to examine the amendment. You will send the amendment and I shall have to get it cyclostyled and then it must be made available to all members of the House.

Sj. SIBNATH BANERJEE: But the resolution was not before the House when it was moved nor was it circulated.

Mr. SPEAKER: So far as the scope of the resolution is concerned it has always been the democratic practice to move it just after His Excellency leaves the Chamber. But I cannot allow you to have any discussion on the original motion until I give you time to study the speech and send in your amendments. If you move an amendment that amendment must also be

made available to the members of the House so that they may also have their say on that amendment. I regret therefore that I cannot allow you to *violate the rules. The position is that all amendments should come through* the proper channel. How can I allow you to move an off-hand amendment at this stage?

The Hon'ble Dr. BIDHAN CHANDRA ROY: He forgets that we are not asking him now to give his opinion on the resolution.

Mr. SPEAKER: I think you will allow us to proceed according to rules. The position is that you will submit your amendments to-morrow.

Janab MD. KHUDA BUKHSH: Sir, I am thankful to you for having given us time till to-morrow. Members ought to be afforded an opportunity to study and assimilate the most excellent speech of His Excellency the Governor which runs to twelve pages. So my humble submission from this side of the House would be that the debate instead of commencing from to-morrow, as you have already indicated, should be deferred till day after to-morrow to enable all the members of the House to study the speech of His Excellency and adopt an attitude for the consideration of the House. Sir, this is my humble submission.

Mr. SPEAKER: The position is this. The speech is there. We have got to conclude our session at least before the Pujah holidays. We cannot go on having our session and taking the risk of the session being extended after the Pujah holidays. Now, the position is this that we have allotted two days' time for allowing a general discussion. I do not know as to what the members will desire. It may be that they may desire some extra time in order to conclude their discussion. I do not know—that will be a matter for us to discuss later on. If I allow one day's time more, that will not materially alter the situation. You have got to read the speech—it is not a very lengthy speech nor is the thing so difficult that you must have more time. I think I can allow this that the session will start to-morrow at 4 o'clock and I can allow you time till 3 o'clock even in order to send in your amendments. Within that hour we shall make them cyclostyled and circulated and the discussion will continue to-morrow and the day after.

Janab MD. KHUDA BUKHSH: Mr. Speaker, I bow down to your ruling, but my submission is that on this side of the House there is a small group which flatters itself as a party, but, Sir, I find that the more important among the members are not presnt to-day. It is a most excellent speech of His Excellency as an estimation of the Government policy. We on this side of the House call ourselves the Opposition. Therefore, Sir, I was suggesting to you, in order that the Opposition as a whole might get a chance of studying the speech and formulating their attitude towards it, that there may be an extension for a day. Since you prescribe in your wisdom that to-morrow at 3 o'clock would be the time that would suffice for the Opposition as a whole to go through the speech and also formulate their attitude about it, I have to accept it, but again my submission would be to you for your consideration that it may be deferred till day after to-morrow at 3 o'clock or any other time suitable for the House and we shall then table our amendments. The question is about tabling amendments and sending in amendments. What the amendments would be and what the discussion thereon would be—that would be for the House, but the Opposition should be given adequate opportunity for tabling the amendments. That is my submission.

Mr. SPEAKER: So far as the absence of members is concerned, that is not my fault nor the fault of the House. That is the fault of the members who have not chosen to attend the House. Therefore, that question is out of consideration.

Now, with regard to time, I would be very glad to give you more time, but in my view I feel that the time is enough for sending in amendments and I think we ought to stick to the scheduled time unless and until there are very grave causes to disturb this situation. Under the circumstances, I hope that the House will accept this position.

Sj. SIBNATH BANERJEE: May I suggest that what you have said may be accepted, but for those who will not be able to formulate their amendments time may be extended and they may speak day after to-morrow. There may not be a time-limit till 3 o'clock to-morrow. Amendments may come as they come and they may be circulated.

Mr. SPEAKER: I cannot promise you about that, but you know that short-notice amendment motions have been allowed in this House if there be a good case and if there be an amendment like that, we shall consider that when such a situation arises.

Sj. SIBNATH BANERJEE: I have another matter of privilege. I had an adjournment motion consent to which has been refused. I had the privilege of seeing you in your Chamber and I have accepted the position, but still I am raising it for future occasions. I was not quite convinced with the argument that you had given when I had an opportunity of discussing it with you.

Mr. SPEAKER: Mr Banerjee——

Sj. SIBNATH BANERJEE: Allow me to finish it in two minutes. I am speaking for future occasions.

Mr. SPEAKER: The position is, whenever notice for an adjournment motion is given, if the Speaker refuses to give his consent, that matter cannot be discussed in the House.

Sj. SIBNATH BANERJEE: I am not discussing that. There is a misunderstanding.

Mr. SPEAKER: You are not only discussing that matter but you are discussing the reasons which I have privately given to you in my Chamber.

Sj. SIBNATH BANERJEE: I am sorry; I apologise if that is the interpretation you have made. I have given a quite different interpretation. I am discussing the subject on its merits.

Mr. SPEAKER: Mr. Banerjee, you are quite an old parliamentarian of this House. You know whenever there is an adjournment motion and whenever consent has been refused, that is not even talked about in the House.

Sj. SIBNATH BANERJEE: I am not talking.

Mr. SPEAKER: You are talking.

SJ. SIBNATH BANERJEE: I am sorry I was unable to make it understandable.

Mr. SPEAKER: Mr. Banerjee, I regret very much I cannot allow it. The position is too obvious.

Sj. SIBNATH BANERJEE: I am not raising that subject at all but in future about adjournment motions——

Mr. SPEAKER: Mr. Banerjee, I welcome your suggestion but I do not wish to be guided by it so far as future adjournment motions are concerned. You may make your observations in proper time but I do not think you should suggest to me as to what course should be followed in future. Let future take its own course.

Sj. SIBNATH BANERJEE: Mr. Speaker, when shall I get an opportunity for making the suggestion? After all the ruling is yours but I want to make an humble suggestion.

Mr. SPEAKER: Mr. Banerjee, I have again to tell you, you are an experienced parliamentarian; such suggestions are never made on the floor of the House; they are made to the Speaker in his chamber. If you have to give some advice to the Speaker this is not the place where you should tender this advice. There is the chamber in which you can give your most valuable advice to which I will give due consideration, but here it is out of order.

The House stands adjourned till 4 p.m. to-morrow.

Adjournment.

The House was then adjourned at 4-47 p.m. till 4 p.m. on Tuesday, the 26th September, 1950, at the Assembly House, Calcutta.

Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 26th September, 1950, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble ISWAR DAS JALAN) in the Chair, 12 Hon'ble Ministers and 55 members.

Amendments to the motion of address in reply to the Governor's speech.

Mr. SPEAKER: The amendments will be moved by each of the members and then the discussion will start. Dr. Suresh Chandra Banerji, will you please move your amendment?

Sj. SIBNATH BANERJEE: Sir, we have not got our amendments yet.

Mr. SPEAKER: You will get it just now. Two pages have already been circulated and the third page is going to be circulated soon. In the meantime let the amendments be moved.

Sj. SIBNATH BANERJEE: Is the mover of the original motion not making any speech?

Mr. SPEAKER: Let the amendments be moved first and then the whole thing will be open to discussion. He will then be able to make a speech if he likes.

Sj. SIBNATH BANERJEE: If the mover of the original motion speaks and gives us the Government version, it will be helpful to us.

Mr. SPEAKER: He may if he likes. Yes, Dr. Banerji, will you please move your amendment?

Dr. SURESH CHANDRA BANERJI: মাননীয় স্পীকার মহোদয়, আমি motion move করব, কিন্তু আমার যা বক্তব্য সেটা আমি কাল বলব।

Mr. SPEAKER: হাঁ, আপনি আজকে আপনার motion move করুন and then deliver your speech.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that the following be added at the end of the address in reply, viz.:—

"But regrets the omission of—

(*a*) any mention of any definite policy—

(*i*) as to the rehabilitation of refugees;

(*ii*) as to the control of black-marketing and reduction of the price of essential commodities;

(*iii*) as to equalising the price of rice in different parts of the State;

(*iv*) regarding labour;

(*b*) mention of any definite time of election to Calcutta Corporation and to District Boards of 24-Parganas, Nadia, Malda, West Dinajpore and Jalpaiguri;

(*c*) mention of any housing-scheme, specially for the industrial labourers;

(*d*) mention of any scheme for the improvement of Calcutta *bustees*;

(*e*) indication of any Government action towards the abolition of the zamindary system."

Mr. SPEAKER: Mr. Mandal, will you please move your amendment?

Sj. UMESH CHANDRA MANDAL: Sir, I don't want to move my motion. I wish to speak generally.

Mr. SPEAKER: Then you will speak later on. Motion not moved. Yes, Mr. Singh Sarker, will you kindly move your motion?

Sj. SATISH CHANDRA ROY SINGH SARKER: মাননীয় স্পীকার মহোদয়, আমার amendment move করতে চাই না, কারণ আমার amendmentএ যা কিছু বলবার বিষয় আছে, সেগুলি অন্যান্য মেম্বরগণ যে সমস্ত amendments এনেছেন তার ভিতরেই রয়েছে। তবে আমার যা কিছু বক্তব্য আছে, সেটা আমি পরে বলব।

Mr. SPEAKER: Motion not moved. Janab Mudassir Hossain, will you please move your amendment?

Janab MUDASSIR HOSSAIN: Sir, I beg to move that the following be added at the end of the address in reply, viz.:—

"But regrets to note that his Government have failed to discharge their responsibilities with regard to the exodus of Hindus from East Bengal and by their acts have accelerated the pace of such exodus and that they have failed to perform their primary duty of maintaining law and order in order to protect the Muslim citizens of West Bengal specially of Calcutta, 24-Parganas, Howrah, Hooghly, Murshidabad, Burdwan, Bankura, Jalpaiguri, Malda and other places and also regrets to find that they have failed to organize the people and infuse in them a spirit of unity and co-operation by introducing co-operative methods in order to create a united front for all-round development of the State by—

(1) increasing agricultural and industrial production to their utmost capacity;

(2) by laying out a net-work of roads, railways and waterways for free and easy communication;

(3) by bringing to the door of every citizen the benefit of education;

(4) by creating facilities for employment; and

(5) by improving the morals and discipline of the people and thus effectively playing the part of the Government of the people, by the people and for the people."

Janab MD. KHUDA BUKHSH: Sir, I beg to move that the following be added at the end of the address in reply, viz.:—

"But regrets the omission of—

(1) an indication of Government policy in regard to the land forcibly occupied by the East Bengal refugees and built upon;

(2) the Government policy being followed in the rehabilitation of displaced Muslims."

Janab MAHAMMAD SAYEED MIA: Sir, I beg to move that the following be added at the end of the address in reply, viz.:—

"But regrets the omission of a clear indication of Government policy in regard to the derequisition of Muslim houses and lands and return of

houses and lands to Muslims who left their villages during the disturbed atmosphere in the city and districts in accordance with the Delhi Agreement."

Sj. SIBNATH BANERJEE: Sir, I beg to move that the following be added at the end of the address in reply, viz.:—

"But regrets the omission in the speech of any mention of:—

(*i*) any attempt to expedite the Damodar Valley Corporation, Mor and other projects by raising money in the State;

(*ii*) any attempt to abolish zamindary system;

(*iii*) any attempt to introduce adult suffrage in Howrah and other municipalities;

(*iv*) any attempt to implement the Howrah Improvement Trust Scheme;

(*v*) any attempt to bring down prices;

(*vi*) any attempt to check black-marketing;

(*vii*) any attempt or plan to bring about self-sufficiency in food;

(*viii*) any policy of granting adequate dearness allowance to all employees of the Government;

(*ix*) any policy regarding the refugees returning from Orissa;

(*x*) any attempt to tackle the housing problem in respect of workers and refugees;

(*xi*) any attempt to requisition all rooms in excess of three rooms per family of five;

(*xii*) any guarantee of civil liberty;

(*xiii*) the condition of the South East Frontier, i.e., the Sundarbans;

(*xiv*) the condition of Dhubulia Refugee Camp and the recent firing there."

Janab MUHAMMAD IDRIS: Sir, I beg to move that the following be added at the end of the address in reply, viz.:—

"But regrets that no mention has been made regarding the difficulties of the returning Muslim migrants and further regrets to note that the Government has not been successful in rehabilitating them in many cases."

Janab SYED BADRUDDUJA: Sir, I beg to move that the following be added at the end of the address in reply, viz.:—

"But regrets that the speech makes no reference to the sufferings and miseries of Muslims more specially of uprooted Muslims in the State; that it omits to mention anything about attempts made by some Government officers immediately before and after conclusion of the Delhi Pact to encourage and indirectly force migration of a large number of Muslim citizens of the State; that it is silent about the question of rehabilitation of returning migrants from East Bengal and Government policy regarding them; that it does not refer to the unfortunate cases of thousands of Muslims dismissed from their jobs in the industrial areas with either no notice or notice bad in law; that it does not even indirectly hint at the fast deteriorating condition of Muslim citizens of the State for lack of facilities in trade and in the services of the Government and all other spheres of life."

Sir, I have inserted two words "dismissed" and "trade" which are omitted in the agenda paper.

Sj. ANNADA PROSAD MONDAL: মাননীয় স্পীকার মহোদয়, গতকল্য মাননীয় রাজ্যপাল মহোদয় যে সংক্ষিপ্ত ভাষণ দিয়েছেন, তা আমাদের খুব হৃদয়গ্রাহ্য হয়েছে। প্রাকৃতিক দুর্যোগ সত্ত্বেও গভর্নমেণ্ট

যেভাবে রাজ্য পরিচালনা করছেন, তা সত্যিই খুব আশাপ্রদ বলে মনে হয়। সকল দিক দিয়ে বিবেচন করতে গেলে দেখা যায় যে আজকে গভর্ণমেণ্টকে অনেক টাল সামলাতে হচ্ছে। এই যে বাস্তুহারারা এসেছে, পাকিস্থানে হিন্দু-মুসলমানের মধ্যে যে বিরোধ ঘটেছিল, যা দিল্লী চুক্তির দ্বারা প্রশমিত হয়েছে; সেটা অস্বীকার করবার উপায় নাই। আমাদের পরস্পরের মধ্যে যে হানাহানি মারামারি কাটাকাটির একটা মনোভাব যেভাবে দেশের মধ্যে বিস্তারলাভ করছিল যার ফলে মুসলমানেরা মনে করছিল যে হিন্দুদের পাকিস্থান থেকে দূর করে দিতে হবে, এই যে ভাব এটা দিল্লী চুক্তির ফলেতে দূর হয়ে গিয়েছে এবং হিন্দু-মুসলমান পরস্পরের মধ্যে আদানপ্রদান পূর্বে যেরকম ছিল আমার মতে এখন প্রায় সেই রকম হয়ে আসছে। যদিও এখনো পূর্ববঙ্গ থেকে হিন্দু চলে আসছে এবং পশ্চিমবঙ্গ থেকে মুসলমান চলে যাচ্ছে, তাহলেও এটা স্বীকার করতে হবে যে এই দিল্লী চুক্তি হওয়াতে আমাদের প্রভূত উপকার হয়েছে এবং দেশেও শান্তি স্থাপিত হয়েছে।

আমাদের এই চুক্তির দ্বারা দেশের প্রভূত উপকার হয়েছে। পাকিস্থানে শান্তি স্থাপন হয়েছে—ভারতেও শান্তি স্থাপন হয়েছে। পাকিস্থান Government যে ঠিকভাবে সমস্ত চুক্তি সেখানে পালন করতে সক্ষম হচ্ছে একথা স্বীকার না করলেও এই কথা বলতে হবে যে পাকিস্থান Government যেভাবে চুক্তি মেনে চলেছে তাতে তাদের প্রশংসা করা যায়। এবং ভারত Government সম্পূর্ণভাবে, ঠিকভাবে এই কাজ চালিয়ে যাচ্ছে, তার সর্তগুলি সরকার যেভাবে মর্ম্মে মর্ম্মে পালন করছে তাতে ভারতের মুসলমানের প্রভূত উপকার হচ্ছে এবং স্থায়ীভাবে শান্তির সহিত বসবাস করবার জন্য তাদের সুযোগ দেওয়া হচ্ছে এটা নিশ্চয়ই বলা যায়।

তা ছাড়া প্রাকৃতিক দুর্য্যোগ—আসামের ভূমিকম্প, বন্যায় বহু যায়গায় বিপর্য্যয় আনয়ন করেছে। এই সব প্রাকৃতিক বিপর্য্যয় সত্বেও আমাদের Government তার কাজ খুব শান্তিপূর্ণভাবে শীঘ্র এবং সুষ্ঠুভাবে পরিচালনা করতে পারছেন। যে সমস্ত যায়গায় দুর্ভিক্ষের আশঙ্কা হয়েছিল সেই সমস্ত যায়গায় দুর্ভিক্ষের আশঙ্কা দূর হয়েছে এবং সেখানে সরকার Modified Rationing প্রথা প্রচলন করেছেন এবং যেখানে চাল আক্রা হয়েছে এবং দুর্ভিক্ষের আশঙ্কা হয়েছে সেখানে তাঁরা তাড়াতাড়ি করে চাল দেবার ব্যবস্থা করেছেন এবং সেখানকার লোকের দুঃখ-কষ্ট দূর করেছেন। এই কথা অস্বীকার করার উপায় নাই যে অনেক বড় বড় চাষী তাদের সমস্ত ধান আটক রেখেছিল; এ কথাও অস্বীকার করার যো নাই যে সরকারী কর্মচারীরা যাঁরা এই সমস্ত ধান চাল procure করেন তাঁরা ঠিকভাবে তা procure করতে পারেন নাই। তাহলেও এই কথা বলতে হবে যে Government প্রভূত ধান চাল সংগ্রহ করেছেন কিন্তু অনেক ক্ষেত্রেই প্রাকৃতির দুর্যোগের কারণে এবং অন্যান্য ব্যাপারের ফলে অবস্থা একটু খারাপ হয়েছিল।

আজকাল চোরাকারবারীর কথাও অনেকে বলছেন এবং চোরাকারবার দমন করার কথাও অনেকে বলছেন কিন্তু এই কথা ঠিক—নিয়ন্ত্রণ প্রথা যতদিন থাকবে চোরাকারবারও থাকবে; নিয়ন্ত্রণ প্রথার পরিণতি হচ্ছে চোরাকারবার। চোরাকারবার একেবারে বোধ করা যেতে পারে বলে আমার মনে হয় না। তাহলেও Government অনেক কিছু করতে পারেন। কিন্তু এই বিষয়ে জনসাধারনের সক্রিয় সহযোগিতা চাই; তাছাড়া Government কিছুতেই চোরাকারবার নিয়ন্ত্রণ করতে পারবে না। আমরা অনেক সময় দেখেছি, যে Government Officerরা চোরাবাজার দমনে চেষ্টা করছেন সেই Government Officerদের প্ররোচিত করে ঘুষ দেবার চেষ্টা হয়েছে এবং অনেক স্থলে তা সফলকামও হয়েছে। এই কথা অস্বীকার করবার উপায় নাই যে তা সত্বেও Government দৃঢ়ভাবে এই সমস্ত চোরাকারবার দমন করবার জন্য যথাসাধ্য চেষ্টা করেছেন। আমার মনে হয় Governmentএর আরো দৃঢ়তার সহিত চোরাকারবার দমন করা উচিত এবং যে আইন আপাততঃ পাশ হয়েছে, যে Ordinance পাশ হয়েছে সেটা কার্য্যকরী করা উচিত, যাতে কোনরকমেই চোরাকারবারীরা প্রশ্রয় না পায় এবং তাদের রীতিমত শাস্তি হয়।

কাল রাজ্যপাল মহাশয় যে সমস্ত কথা বলেছেন তা সত্যই প্রশংসার যোগ্য। সরকার বাহাদুর এই বিপুল rehabilitationএর যে কাজ করছেন এর বিরুদ্ধে অনেক সমালোচনা হচ্ছে এই কথা স্বীকার করতে হবে। কিন্তু আমার মনে হয় যতদূর সম্ভব সরকার এই কাজ ভালভাবেই করছেন। এই refugeeদের অনেকেই Governmentকে ঠকিয়ে Governmentএর কাছ থেকে পয়সা নিয়েছে এবং এক একটি familyতেই তাদের স্ত্রী মেয়ে মা বাপকে আলাদা আলাদা family দেখিয়ে Governmentএর কাছ থেকে টাকা নিয়েছে এবং এইভাবে Governmentএর টাকা অযথা অপব্যয় করেছে। এই দিকে Governmentএর বিশেষ লক্ষ্য রাখা দরকার। যে সমস্ত Government Officerরা এই refugeeদের সাহায্য করছে

তাদের মধ্যেও দুর্নীতি দেখা গিয়েছে এই কথা অস্বীকার করবার উপায় নাই। এই Governmentএর এই দিকে লক্ষ্য রাখা উচিত। এই রকম দুর্নীতি সেখানকার স্থানীয় লোকদের নজরেও পড়েছে। এমন দেখা গিয়েছে যে false identity বা মিথ্যা পরিচয়ে বা ভুল নামে তারা loan নিয়েছে। আমার মনে হয় এই বিষয়ে জনসাধারণের সজাগ হওয়া দরকার। যাতে Governmentকে ঠকিয়ে এই সমস্ত কাজ না করতে পারে এবং কোন রকম ঠকিয়ে ঋণ নিতে না পারে এই বিষয়ে Governmentএর লক্ষ্য রাখা উচিত। কেউ কেউ মোটেই ঋণ পাচ্ছে না এবং কোন বিশেষ অবস্থায় না পৌঁছিলে তারা ঋণ পাচ্ছে না সে বিষয়েও Governmentএর লক্ষ্য রাখা উচিত। তা সত্ত্বেও এটা মোটামুটি বলতে হবে যে যতদূর সম্ভব কৃতকার্য্যতার সহিত এই rehabilitationএর কাজ সম্পাদন হচ্ছে। আর একটি কথা বলতে চাই যে Government এই সমস্ত ব্যাপারে Governmentএর যে রকম অর্থকৃচ্ছ্রতা রয়েছে তা সত্ত্বেও এই দেশের শাসন ব্যবস্থা যেভাবে পরিচালনা করছেন তা প্রশংসার যোগ্য। যদিও আমি Governmentএর partyর লোক তাহ'লেও এই কথা অবশ্যই স্বীকার করতে হবে Government যেরূপ প্রতিকূল অবস্থার মধ্যে এই কার্য্য পরিচালনা করছেন তাতে Government প্রশংসার যোগ্য। আমি আর একটি কথা বলছি যে এই দেশে যে সমস্ত আন্দোলন গড়ে উঠছে Governmentএর বিরুদ্ধে তার মধ্যে কিছু কিছু সরকারী কর্ম্মচারীও রয়েছে এবং তাঁরা এই আন্দোলনকে সাহায্য করছেন। এই দিকে Governmentএর সতর্ক দৃষ্টি রাখা দরকার। যাতে এই রকম অন্যায় আন্দোলন এবং Governmentএর বিরুদ্ধে অসত্য প্রচারের কাজ চালান না হয় Governmentকে বিপথে ফেলবার জন্যে। সে বিষয়ে Governmentএর সাবধান হওয়া উচিত। এই যে সাধারণ নির্ব্বাচন আসছে এই নির্ব্বাচন ব্যবস্থাকেও পণ্ড করবার জন্য একটা ষড়যন্ত্র হচ্ছে, সেটার আভাষ পাওয়া যাচ্ছে। চারিদিকে এই রকম একটা আবহাওয়া সৃষ্টি করা হচ্ছে যাতে Governmentকে দোষী করা যায়। যেখানে দুর্ভিক্ষ নাই সেখানে দুর্ভিক্ষ create করার চেষ্টা করা হচ্ছে। এবং দুর্ভিক্ষ যাতে হয় তাদের অনেকেই সে চেষ্টা করছে। দুর্ভিক্ষ হলে তাদের সুবিধা হবে, Governmentকে নিন্দা ভালভাবে করা যাবে। আমার মনে হয় এই বিষয়ে Governmentএর প্রচারকার্য্য ভালভাবে চালান উচিত। Government ঠিক কিভাবে চলছে তা রাজ্যপাল মহাশয় তাঁর বক্তৃতায় বলেছেন সেটা বিস্তারিতভাবে প্রকাশ করা দরকার এবং কোন্ বিভাগে কিভাবে কাজ করা হচ্ছে, Government কিভাবে অগ্রসর হচ্ছে, জনসাধারণের অভাব অভিযোগ দূর করতে কিভাবে চেষ্টা করা হচ্ছে সে বিষয়ে Governmentএর প্রচারকার্য্য আরো ভালোভাবে হওয়া উচিত। এটা যদি না হয় তাহলে জনসাধারণকে বিপথে সহজে নেওয়া যেতে পারে। আমার মনে হয় এই দিকে Governmentএর সজাগ দৃষ্টি রাখা কর্ত্তব্য। আমি এই বিষয়ে আর বিশেষ কিছু বলতে চাই না। আমি এই কথাই বলবো যে Government যেভাবে শাসন কার্য্য পরিচালনা করছেন বর্ত্তমান দেশের প্রতিকূল অবস্থা বিবেচনা করলে মোটা ভালভাবেই করছেন বলা যায়। আমি সেইজন্য রাজ্যপাল মহাশয়ের ভাষণের প্রশংসা করছি।

SJ. SHEO KUMAR RAI: Mr. Speaker, Sir, kal hamarey Perdesh Pal ney jo bhasan hamarey sammey diya hai; unhonney jo kuch kaha hai, hum unke barey men kuch kahna chahtey hain

Beshesh kerke Darjeeling men jo June mahina men lagatar 60 ghanta pani barasney ke bad jo bara nuksan hua hai uske bishai men hamarey Perdesh Pal ney bohut kuch kaha, parantu hum dekhtey hain ke unke bhashan men un admion ki perti kire sahanbhuti naheen thi. Un admion per to kesi political reason ke karan, jes per unka control hosakta tha, jeh musibat in karanoe ke wajah naheen whie thi, jeh musibat jo aie thi jeh to parakerti ke karan aie thi, is liey jeh manush matra ka kartabya hai jo admion ke perti agar apna dushman bhi ho, jadi wah musibat men parey, takleef me parey to hamen un ke sath sahanbhuti kerna chahiey, parantu jeh sahanbhuti naheen mili. Hamarey Perdesh Pal ney jo rasta, pul ke barey men kaha hai jeh to P. W. D. ka report pesh kiya hai. Abhi tak to admi chalney ke liey rasta kholo giya hai. Sonada ke pas jo breach hai wah abhitak khula naheen hai, abhitak Siliguri say Darjeeling janey ka rasta, motor ka rasta naheen khula hai. Jabtak yeh rasta naheen khulega, yeh pahari logen ka bohut hani hoga, keonke jistarah say Switzerland ko Europe ka playground kahtey hain, usitarah say Darjeeling West Bengal ka playground hi naheen hai, health resort bhi hai. Yahan doosrey doosrey

jaga sey admi, musafer hawa pani badalney ke liey atey hain aur is say yehan ke logon ko sahaita hota hai, gujrana hota hai. Jabtak rasta naheen banega tabtak yehan ke logon ka bohut hani hoga. Isliey hamarey Government ko is taraf dhiyan dena chaheay.

Doosri bat yeh hai ke jistarah aj black-marketting barh raha hai, uski taraf koie Sirkar ki diristi naheen hai. Chizon ka itna dam barh geya hai, ke mamuli admi usko naheen lesakta hai. Yeh theek hai ke black-market ko encourage naheen kerna chaheay laken koie bina khaey bhuka bhi naheen rahsakta hai. Government ney Anti-Corruption Department khula hai leken Government ney ketney black-marketeer ko saza di hai. Hum ney Darjeeling men kisi admi ko black-market ke liey handcuff laga ker khuley maidan men saza dete huey naheen dekha. Pher ham jo kuch khatey hain usmen itna adulteration hai ke wah khaney ke lack naheen hai. Doodh, ghee, tel sub cheez men adulteration hai. Doodh men pani mela ker adulterate keon kartey ho kahney ke wajach ab pani men doodh dalker pani ko adulterate keon kertey ho, nahanah per raha hai. Yeh samasya hamarey samney hai, is bishai men Perdesh Pal ko kuch kahna tha, per hamney yen bishai per kuch naheen suna.

SJ. SIBNATH BANERJEE: Mr. Speaker, Sir, yesterday I had requested His Excellency through you to come and listen to our humble observations. I do not find His Excellency here. Of course, it was hoping against hope. I do not know whether he at all cares to read the proceedings. The proceedings of the last occasion were published only yesterday and today we got them. Most of them are in Bengali and I do not know whether they are translated for him. For His Excellency's benefit, I am speaking in English with the hope—of course, hoping against hope—that he will go through them.

Yesterday was the first occasion when I had the privilege of listening to an Excellency addressing this Assembly which formerly we used to boycott. On the last occasion I was unfortunate not to be present and yesterday was the first occasion. (The Hon'ble BHUPATI MAJUMDAR: What a pity!) I thought it was a pity, but after listening to his speech, I do not think it was a pity.

The speech that we expected from His Excellency with all his past should have been a statesmanlike speech with broad outlines, progressive views and schemes, but what we found was just an administrative report that could have been written by any Secretary or an Hon'ble Minister, and even at that it was a bad report. If you turn to page 4 you will find that His Excellency is trying to impress upon us that so much has been done. He says: "We have opened 400 primary schools where 40,000 refugee pupils are being taught. 400 teachers have been employed in these primary schools." That works out at the rate of one teacher for 100 primary school students. That is not a grand performance for the Education Minister or His Excellency. Even when reading the report it appears that sufficient care was not taken on arithmetic. 4,000 teachers should have been appointed instead of 400; that would have covered 40,000 students. They are not like the Assembly, so that one Speaker can manage with 250 members.

The Hon'ble BHUPATI MAJUMDAR: Ordinary members and not extraordinary members like you!

SJ. SIBNATH BANERJEE: In a primary school one teacher cannot manage more than 20 students. At least five teachers are necessary in a primary school of 100 students.

Then there is another observation that I would like to make. In a fit of forgetfulness when I heard something from His Excellency I shouted "question" as usual in this House. I forgot that something unusual was happening. Some one including you, Sir, pointed that out. I also noticed that after His Excellency's speech there was no applause. Are we going to introduce a new tradition that after His Excellency's speech there will not only be no question but there will be no cheers even? I do not know whether that is the new tradition that is being built up. If not, I think the Hon'ble Chief Minister and the Chief Whip will have to apply the whip more vigorously so that there may be cheers after His Excellency's speech.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Why don't you show the way?

Sj. SIBNATH BANERJEE: When you have asked the question, I will leave it to you. Then at page 10 it is said: "An attempt recently made by some Trade Unions to bring about a total strike did not materialise." I do not know to which strike he was referring. There were two strikes, one for the 12th and the other for the 27th. As regards the strike for the 27th, it is premature, because it is only 26th today. Even the general council had not yet put its seal or shall I say out of treachery to the working class, as dictated by the Indian National Trade Union Congress. There was another strike for the 12th, but none of the two strikes was a total strike. Out of the two strikes, one materialised partially, and the other was called off. The strikes were not to include hospitals, electricity, waterworks and the rest of it. Therefore to say that an attempt was made for a total strike is an absolute misstatement. His Excellency has been very ill-advised to use this expression. There will be total strikes if the Government takes the attitude that it has taken instead of taking a note of the strike threatened not by professional agitators like Sibnath Banerjee but by persons like Dr. Suresh Chandra Banerji, Sj. Deven Sen, Sj. Bepin Behari Ganguli and some others like Sj. Sushil Banerjee. All of them are members of the council and all of them unanimously passed this general strike. Of course it was not a total strike, because it excluded hospitals, gas, waterworks and the rest of it, and Government should have taken a note of that and not say that these are the activities of anti-social elements. Last year His Excellency said in his speech that the black-marketers were the anti-social elements. This year anybody who talks about strikes is an anti-social element. He said: "Strike notices are on the horizon." Before that he said: "But anti-social elements taking advantage of the uncertain conditions in this State as also the prevailing disturbed conditions in the world never fail to make attempts to create chaos." The plain position is that either this Government through Tribunal, through legislation, through minimum wages, old age pension and things like that ameliorate the condition of the workers, or there will be strikes, total strikes and much more than that. Instead of taking note of it, His Excellency said: "An attempt recently made by some Trade Unions to bring about a total strike did not materialise."

Mr. SPEAKER: While referring to His Excellency you should remember that after all he is the mouth-piece of the Ministry and therefore anyone alluding to him should not, in fairness, speak anything derogatory about him. You can criticise the policy of the Government, but whatever the Governor has stated he has stated on behalf of the Government. Those who have listened to you are all sitting here and they are the persons who can do and undo things.

Sj. SIBNATH BANERJEE: Sir, the position is a little awkward. I listened to His Excellency's speech, but His Excellency is not listening

to me. Anyway I bow down to your ruling. My target now will be *Dr. Roy* instead of His Excellency. Through him I can attack all the other Ministers.

Last year I remember—I will refresh my memory by going through the records—Sj. Deven Sen had complained that there was no labour policy. This time there is a labour policy. It is very much like King Lear being replaced by King Stork. Last year there was no mention of any labour policy in the speech, but this year there is a policy, namely, that anybody who talks of strike is an anti-social element. This year also I find in the amendment moved by Dr. Banerji a complaint that there is no labour policy, but there is a labour policy, and that policy has been placed before this House. We know that the Howrah Municipal Association wanted a Tribunal, but that was not granted. Then the employees went on a strike, and we got an offer of a Tribunal immediately within three or four days. Not the Hindu Mazdoor Sabha of which I happen to be the Chairman but the Trade Union Congress is trying to get a Tribunal about the jute workers for one year or more. They actually gave *dharna* to Sj. Kalipada Mookerjee, but he is not moving at all. I do not know what ex-Clive Street and now Netaji Subhas Road was dictating to him. There was some other Tribunal not of course as we wanted, but there was at least some attempt to meet the grievances, but here nothing doing. Ultimately, on the threat of a strike, immediately a Tribunal has come. I have got a copy of that already; it is in my hand. For one year all the leaders of the Indian National Trade Union Congress amongst whom was the Chief Whip also, could not get a Tribunal, but when there was a strike, within 72 hours orders issued from Writers' Buildings, and it is already in the hands of different unions. But there is a *but* in it. Item 9 of the Issues or the Schedules, as they are called, does not mention any bonus. The contention is that in the last Tribunal we demanded three months' bonus.

The Tribunal Judges said that there were not facts enough before them. This was not quite correct. The balance sheets of these companies were examined and on the basis of them bonuses could have been declared, but it was not done during these two years. In the meantime the workers of many companies either by means of strike or by threats of strike have got bonus—in some for two months, in some others for one month, and workers of most of the engineering concerns got one month's bonus. In Bombay they have got two months' bonus, and in the coal industries four months' bonus. In Jamshedpur only recently more than three months' bonus was declared. Here, in the case of Jute Mills whose profits go elsewhere, we find that their balance sheets are a fraud. Everybody knows, even one who is innocent of accounting knows that land value is not decreasing but increasing. But in all their balance sheets you will find that land value is decreasing and that there is depreciation and so on and so forth. Sir, in ten years' time it has increased ten times but their profits are immediately transferred not to the workers but to more shares by increasing 50 lakhs shares to another 50 lakhs defrauding the workers of their due share of the profits. So, Sir, the Jute Mills have deprived the workers all along. During the war period they have got nothing, nor have they got anything even after the Tribunal came. Even in this the latest Tribunal which has been granted there is no mention of any bonus. That is fully an indication of what we are going to get from this Tribunal.

Then, Sir, there is another matter. I do not want to criticise anybody. But one of the Tribunal Judges has expressed a definite opinion in the Calcutta Corporation Tribunal that there must be a finality in litigation. But so far as the relations between labour and capital are concerned, there can be no finality as long as workers are not going to be masters

of the factories and despots continue. Therefore this matter cannot be raised in the Tribunal unless there is a change in the outlook. But the man who holds such a view is a misfit for such a Tribunal. He may be promoted to Judgeship of the High Court but he is a misfit for a Tribunal. In 1947 Dr. Suresh Chandra Banerji said, "By means of Tribunal we shall solve the problem". I did not quite agree with him, but I admitted that at least some attempts could be made to minimise strikes if Tribunals are granted occasionally to meet the demands of the workers. Today, of course, there are various demands of the workers and certainly we cannot meet all their demands. But there are questions of living wages, then share in the profits, etc., and in the management. So if a man who not only does not understand it but openly declares his views not only once but several times is there, I do not know what would be the fate of the recommendations even if they are conceded by the Tribunal consisting of such men. The view of one of the Judges of the Tribunal deliberately and strongly expressed is that there must be a finality in litigation. So once a Tribunal is granted and there is an award, it must be final unless there is a substantial change in the circumstances.

Regarding the Damodar Valley Corporation, I have got fourteen points. I won't speak on many of them, and I hope some other speakers will speak on them. I shall not touch all the points. I find that the Damodar Valley Corporation and the Mor Projects have been either stopped or slowed down for want of money. I do hold that more pressure should be put on the Centre, and the capitalists and the public here to invest money; and money can be raised and should be raised to have the scheme accelerated. It will produce food and bring self-sufficiency to the province and other kinds of wealth. It will also provide employment to many refugees whose problem is most acute today. They are collecting crores through National Savings Scheme, but I do not know what is happening to them. During the war period the money was spent on war industries. But the money raised in Bengal now at least can be diverted. I find the Hon'ble Finance Minister is smiling, but as a layman I feel that attempts should be made that these projects are accelerated and not slowed down.

Sir, abolition of zamindary is another matter. In February last many speakers both from this side of the House and the other raised the subject, but since Dr. Roy is against it, he does not listen or listens but does not care about the abolition of landlordism. I need not speak what others say, but I may say that Madras has done it, United Provinces has done it, Bihar has done it, and even Eastern Pakistan has done it But there is no mention of this in the Assembly, and why so? Dr. Roy, the Chief Minister, said in reply to a debate that sanctity of private property is sacrosanct, and in that view we cannot expect the abolition of landlordism as long as he is sitting tight over there, unless he changes his views, of which I doubt there is any hope.

Another point I want to touch upon is with regard to the Calcutta Corporation vis-a-vis Howrah Municipality. In the last session there was a reference that there would be adult suffrage. But, Sir, not to speak of adult suffrage, even some limited adult suffrage has not yet been given to the Howrah Municipality which is just across the river and other municipalities. We demand that that should be done.

Then, Sir, with regard to the Howrah Improvement Trust, we talked about this in this House, passed a Bill and amended it, but I do not know whether it is now in some corner of the almirahs in the Writers' Buildings, nor do we know what has been done. Calcutta *bustees* are bad enough but anybody who has gone to Howrah knows about Howrah *bustees* and

unless the Improvement Trust moves quickly—fortunately we have a doctor as the Chief Minister and he knows that it is the hot-bed of all kinds of diseases, typhoid, dysentery, pox and all the rest of it—these diseases cannot be removed, but there is no mention of it in the speech we are discussing.

Regarding high prices and black-marketing a very curious thing has happened. Instead of doing what they should they have come down on the public saying, "You are guilty; you public pay the prices, therefore you are as guilty as the man who exacts black-market prices". To this an effective reply was given by the leaders of the Bengal Provincial Trade Union Congress, but as I said this Government never care to deviate from their line; they are going along their own line! they are trotting out the same rotten argument—the public is also responsible. Yes, responsible to some extent—that cannot be denied. Why not give the public some responsibility to arrest the black-marketers, not beating them but bringing them to Wellington Square or Lal Bazar? Then we think much of the black-marketing will stop. There may be some abuses, I can quite conceive, but when you say that the public is responsible, give it some authority also. In other provinces our party started picketting godowns where black-marketing goes on. The result is we are arrested. We are afraid if we take initiative believing in the words of the speech delivered, we may find ourselves in jail instead of the black-marketers. If strikers can be put under preventive arrest why cannot a hundred black-marketers about whom people are whispering and the whispers must have reached even the deaf ears—cotton-filled ears—of Dr. Roy, be so done? (The Hon'ble Dr. BIDHAN CHANDRA ROY: Deaf ears?) (Janab MD. KHUDA BUKHSH: He has corrected it—cotton-filled ears.) As I suggested in this House before, if a hundred of them—not *chuno puntis* but *raghob boals* are arrested and kept in detention as *jamais*—sons-in-law—I think the whole thing will stop. Some were suggesting—Bengal Provincial Trade Union Congress were suggesting confiscation of their property. That will not be necessary, I think. As a first step the British Government found it very useful. They used to arrest the people whom they suspected, put all people like Dr. Roy and others in prison and they found that at least for the time being they could stop it. So for the time being black-marketing can be stopped if not more than a hundred people who are known to be black-marketers in the different spheres are kept in detention—need not be kept in the Presidency Jail, they can share His Excellency's quarters there. Even then if they are not allowed to go in the fatka bazar to dispose of their ill-gotten shares and other things the whole thing will stop. But that is not going to happen. What irritates me and the public is that instead of doing that they should say, "well, you are guilty". That is the most unheard of procedure. Similarly they could say of everything. Your pocket is picked—you are negligent. Your house is burnt—you are negligent. Somebody does something wrong with the women folk—why not defend and die in the attempt? So there is no necessity for the Chief Minister or the Home Minister for police arrangement. Leave it to chaos as Gandhiji said. But as you are sitting there and claiming to do everything properly, you should do things properly.

Regarding housing problem I have to say something new in this House. This I have not said before. Dr. Banerji has given notice about housing for industrial labour. Housing for refugees is a problem which Dr. Roy is trying to tackle at Habra and other places, but there is a simpler solution. What I do suggest is rather too simple—anybody having more than three rooms for a family of five, those premises be requisitioned. A space of 1,000 feet per individual only should be guaranteed and anybody having excess of that is anti-social and that should be taken away. Dr. Roy need

not be afraid of his house because part of it is his dispensary where he looks after the patients but his library may be requisitioned for the rehabilitation of refugees. (The Hon'ble Dr. BIDHAN CHANDRA ROY: Thank you for small mercies!) There are hundreds of house-owners who do not use most of their rooms or use very scarcely whereas thousands and tens of thousands of people are rotting, some in Sealdah Station and some in Howrah Station who came from Orissa. At least temporarily all the homes that are available should be requisitioned for them as you are speaking of war measure. This is a war measure where you are taking houses only temporarily and immediately houses are constructed—I do not want them to be of cement and steel, bamboo and mud may be used which may be lasting for five or ten years and in the meantime our factories will be able to produce sufficient steel and cement—at least we may build houses as the chawls in Bombay for the workers, they will be released. Why should it be difficult to requisition all the rooms in excess of three rooms per family of five for refugees? They will be asked to vacate as soon as houses are built and they will be glad to do so. This is a procedure which can be adopted and it has been adopted in other countries where labour has a say —a proper say in the affairs of the nation. In this country labour's voice is weak, the organisation is weak. Dr. Roy's views are well known and others from whom I had expected better are trying to laugh away at the suggestion. You may laugh today but tomorrow you may find parts of your houses being occupied by the refugees and Dr. Roy and Sri Kalipada Mookerji will find it difficult to get the police necessary to eject all of them. (The Hon'ble BHUPATI MAZUMDAR: No mud anywhere; you are throwing all the mud at the Government.)

I would like to speak a few words on civil liberty. There is no mention here and civil liberty as we understand it does not exist. It is true some people who were in jail have been released; I find one of the members of this House has been released recently, but there are many others who are in jail and at least on humanitarian grounds cases of many could be reviewed as is being done in other provinces. I am not a friend of the Communist Party, I do not want all of them to be put in jail but their policy is wrong. I am only requesting that those members of the Communist Party who are suffering from illness, Dr. Roy as Chief Minister should review their cases and release them. The cases of Muzaffar Ahmed, Ganesh Ghosh, Kamal Sarkar, Samsul Huda—some of them are well known to me, we worked together and it fills my heart with agony when we find that we are unable to do anything in their illness—should be reviewed.

There is another thing which is nearer home and that is the Socialist Party. We declared a strike for the 12th, and on the 10th many of us were detained under the Preventive Detention Act. When this Bill was passed, we were told that this power would not be used for ordinary purposes; it would only be used when there was violence. It was also said that cases of those persons who are not guilty of violence would be reviewed. There was no question of violence in the case of strike of the 12th. On the 12th there was no violence at least on the Howrah side. In Calcutta also there was no violence. Some of the Hindu Mahasabhaits were arrested. They were arrested, but were released later on. Sir, strike is not illegal. Had it been illegal, and if they took part in that illegal strike, they could have been arrested under the law. But that is not the fact; they were arrested under the preventive section, which is, I think, the negation of civil liberty. Of the arrested persons only one has not yet been released and the rest of them have been released. He was the Secretary of the Howrah Municipality. I don't know why he was arrested because the municipality was exempted from strike. He had no connection with any other union. He is known by the Chief Whip, if not by the Chief Minister. I want to know

why he was not released. Even for personal reasons he should have been released, because he is ailing. Apart from that on the ground of civil liberty he should have been released. The Secretary of the Howrah Municipality (now Vice-President) was denied this civil liberty. I think he should be immediately released. His continued detention amounts to negation of civil liberty, and there are many other cases in which civil liberty has been jeopardised. Only the High Court has come to our rescue one after another. Why not review all the cases? You have already done so in many cases. I think that would be a very good gesture.

Sir, I am sure Janab Khuda Bukhsh and others will speak at length on the minority rehabilitation. I would also like to impress one aspect of it. According to the Pact anybody who will be returning up to December will be given back his property. But for jobs only seven days' time was given for return. Anybody who ran away for his life will get back his job if he returns within only seven days. Even that report was not published in the papers. That report did not reach the villages of Bihar. The workers are illiterate people and they were not given any facility to know about this notice. This notice should have been given publicity among the workers, but that was not done. About 20,000 jute workers with 20, 25 and even 30 years' service went away. They came back but all of them have not got back their jobs. Some of them were of course lucky, but even then all their past services have gone. They are not getting their Provident Fund money and Company's contribution. On a rough estimate about 20,000 workers have been denied these benefits in this illegal manner. Under the Minority Rehabilitation Pact they should have been reinstated to their jobs with this period of service as leave without pay. They should not suffer in any other manner. If there is anybody who could not come in time, he should not suffer in this way. I think it is a very pressing order given to the Association by the Government. I submit that the whole thing should be reviewed. I do not want to dilate on other aspects of the minority rehabilitation, but I must emphasize on this aspect of the matter that the workers who have come back and could not be employed for any reasons should be given a gratuity. Even many of them applied though I did not like that. They said, "We shall go", because they as workers are fed up. So they applied and I forwarded the applications which went through different managers. They said if they were given gratuity, they would go. But that was not done. They were denied this benefit because they did not come by the 24th. I submit, Sir, that is very wrong and this aspect of minority rehabilitation should be looked into. In the speech before us it is stated "we are very much satisfied; the minorities are being rehabilitated; this is O.K.; "সব ঠিক হ্যায়." This is an attitude which is very deplorable.

Sir, I would like to say a few words about another catastrophe that has taken place in the Sundarbans area in the South-East Frontier of India. This area has not been given the attention it deserves. There is a railway which does not cover even 45 miles, but which sometimes takes 8 hours for a train to run. Buses are the only conveyance in that area—Sundarbans up to Hasnabad. This area supplies Calcutta with vegetable, fish, fruits, etc., and could supply more if proper transport facilities were organised. But unfortunately this has not been done? Another light railway in Bihar has been taken over by the District Board. I do not know why the 24-Parganas Board should not have taken it over. The general grievances are that the light railways should be extended, roads should be developed, etc., but that can be discussed later on at the time of the budget. What has happened today is that the embankments we constructed to keep off the saline water have broken down. Brahmachari Bholanath, the

indefatigable Secretary to the Sundarbans Proja Mangal Samity, and one of the Ministers, the ex-President of that organisation Sri Niharendu Dutt Mazumdar, know about that. My estimate is that about 3 lakh bighas of land have been inundated by saline water and the embankments have broken down. Government know about that and something has got to be done immediately. There are many things published in the newspapers regarding this and, I am sure, attention of the Chief Minister has been drawn to the statements published in the newspapers. I have before me yesterday's "Nation" in which some concrete suggestions have been made for the relief of this area. I would like to read a portion of that: "350 bundles of corrugated iron sheets should be sent". This estimate may be a little exaggerated. It is said "10,000 houses have been washed away; near about one lakh people are homeless and about 80 to 100 thousand maunds of rice washed away. And land inundated is about three lakhs of bighas. I have seen other estimates in other papers varying from fifty thousand to three lakhs. It requires investigation. One hundred forty tins of kerosene oil should be supplied at 20 tins per union to enable repair work on the embankments to be continued in the night also. Three thousand and five hundred empty gunny bags should be supplied at 500 for each union for construction of the embankments. Work on these embankments should be carried on day and night. Plenty of labour would be available and the local labourers should be paid at the rate of Re. 1-8 daily or three seers of rice, bearing in mind that these people have been rendered helpless. These are details but these things are immediately necessary. But what is most surprising is that although this gentleman drew the attention of the Subdivisional Officer and the Magistrate there and sent copies of his letter to the Chief Minister and other Ministers that those embankments were very insecure and unless they were repaired, calamitous results would follow, the local Magistrate did not even care to go there and see things for himself. It is now quite evident, however, that the statement I am quoting from and the previous statements made by this gentleman were all correct, and that the Subdivisional Officer's statement was wrong. As a result we now find that several persons have lost their lives and there were enormous loss of property and food stocks which we are so urgently in need of now. And for all this the local officers are responsible. I would draw the attention of the Hon'ble the Chief Minister to this statement that has appeared in a local newspaper, and I shall pass it on to him for taking necessary action." (At this stage the blue light was lit.)

Mr. SPEAKER: Mr. Banerjee, you have already taken 45 minutes and how long will you continue?

Sj. SIBNATH BANERJEE: I want another seven minutes.

Mr. SPEAKER: All right. Go on.

Sj. SIBNATH BANERJEE: As regards the refugees a rosy picture has been presented by His Excellency in his speech. He has said that eleven lakhs of refugees have been rehabilitated. What has been done is to take them away from camps, but that is not rehabilitation, and I am anxiously waiting for a statement from the Chief Minister. To rehabilitate 11 lakhs of people, Sir, at least two lakh houses or huts have to be constructed. But from figures I find that about 200 to 500 huts might have been constructed at Howrah. I am not sure about it as I am not sure about things done at other refugee centres. But there is no figure anywhere to show that two lakh huts have been constructed by Government or with the

help of Government. As regards giving them jobs I find that about 50,000 men have been given employment. I may be mistaken. Assuming that about one lakh of people have been employed——

The Hon'ble PRAFULLA CHANDRA SEN: It may be five lakhs.

Sj. SIBNATH BANERJEE: Still six lakhs of them are left out to be rehabilitated.

As regards rehabilitating refugees sent to union boards, I do not know if they have been given any lands. To say that they have been rehabilitated it is necessary that ten to fifteen bighas of land should be given to each family. Sufficient lands may not be available to rehabilitate those refugees who were sent to places in Howrah, Baraset-Basirhat areas, or to Bankura. So I can say that the refugees have neither been rehabilitated with lands nor with jobs. Therefore, to say that these refugees have been rehabilitated is a mischievous statement, I should rather say. I quite realise, Sir, that the problem is an enormous one, and that no country in the world was ever faced with such a big problem. You ought to have said that we have done so much but don't give us a picture which is not correct. Myself and many of my friends have been to many refugee camps, viz., Basudebpur, Dhubulia and others. Everywhere we found more or less the same picture. When refugees arrive in camps the male adults are given doles of Rs. 2 or Rs. 3 a week while children and women are given Re. 1-6 and Rs. 2 per head. Some work of the nature of cleaning the camp is given to a very small proportion of the refugees—their number is infinitesimal. One complaint is that no social worker is allowed to help the refugees. In camps the refugees are kept as if in concentration camps—almost as prisoners. Let us for a minute compare the condition of the refugees in Delhi and Kurukshetra coming from West Pakistan. There were one and a half lakhs of people who stayed there over a year and vocational training as well as productive work was given to the inmates so that they might not feel discouraged for lack of work. Moreover, the entire camp was run by social workers in co-operation with the authorities. Rehabilitation plans were formulated and those people were dispersed according to plan.

A sum of Rs. 5 crores was allotted by the Central Government and a further sum of Rs. 4½ crores was also financed by the Central Government for rehabilitation of East Bengal refugees. But how this money has been spent I do not know. I know that about Rs. 2 crores have been spent. I want to impress upon the Government that when more money was offered, it ought to have been spent for the refugees. What I want is that more money should be budgeted for and spent by Government. (At this stage the time-limit was reached)——Sir, I am sorry I have not been able to finish in seven minutes because the matter is so important.

Mr. SPEAKER: You, please, go on.

Sj. SIBNATH BANERJEE: Now, Sir, I come to the most important point. A note appeared in the "Amrita Bazar Patrika" to the following effect:—

> The Government of India decided in June last to spend Rs. 75 crores on rehabilitation of displaced persons during the next three financial years in accordance with the recommendations of the High Power Committee appointed last year under the Chairmanship of Sri Gopalaswami Ayyangar. According to another recommendation of the Committee the Government increased the allotment of 1950-51 from Rs. 20 crores to Rs. 25 crores exclusive of the amount of Pakistan displaced persons for whom a separate

sum of Rs. 5 crores has been agreed to. A review was to have taken place in July to examine the possibility of further raising the total sum available during 1950-51.

I hope this statement published in the "Amrita Bazar Patrika" is correct. I should like to know if we have got this money and, if so, how it has been spent.

I shall now refer to the note submitted by the General Secretary of the Barrackpore Chatkal Mazdoor Union regarding the rehabilitation of refugees in industrial areas. The suggestions made were as follows:—

(1) All future vacancies in unskilled labour, particularly *bullis*, might be filled up by refugees (about one thousand per month).

(2) Semi-skilled jobs account for at least one thousand refugees per month.

(3) All workers above 55 years or above 25 years of service should retire and this would absorb 4 to 5 per cent. of the labour force.

(4) Ten apprentice technicians from refugee boys from every mill will accommodate one thousand refugees.

(5) Every mill should take in a learner assistant for every department; this may account for 10-12 heads for each mill and will absorb about 1,000 heads.

Now I shall come to the last but the most important part of my motion. The Government version is that there was an unauthorised meeting and the Commandant tried to disperse it. Sri Chatterjee ought to correct me if I am wrong. I find he is listening to my speech attentively. There was a meeting and they were asked to disperse but they did not. On the other hand, they attacked the authorities and in the scuffle that went on a man was killed. I am here standing before you and with all the earnestness I can command I say that the man was not killed by rifle-shot but he was killed by stabbing. What happened? They were holding a meeting and the Commandant—one Captain Mukherji—went there and physically caught hold of three or four of them and dragged them to his office. Then he gave them a very cruel hammering in the adjoining dark room. What used to happen at the time of the indigo plantation is being enacted in our very presence today and was enacted on the 19th. Then they protested and some persons came and demanded that they should be released. The Commandant became infuriated and said "No, I won't. I am going to see those who protested and I will make you all full of blood in a few minutes." Even then the men did not run away, so it is reported. Then the Commandant ordered the armed police to fire, but they said, "We cannot fire unless our Commandant gives orders." So, he snatched a *kukri* and stabbed Anukul Brahma who fell down and then tried to run away. Then he snatched a revolver and fired—that hit Anukul's arms and his brother Amulya Brahma on the shoulder, but they did not die of the gun-shot wound. The doctor was sent for, but he would not come. The Commandant then sent a *chit* which I have got with me and I would pass it on to the Chief Minister. He said, "Why don't you come and attend the patient? He is suffering from gun-shot wound." The doctor said, "I won't go. Let him be brought." The people did not dare to bring the patient to the unwilling doctor. The dying man also wanted to see his parents, his wife and his child. But he died there within three hours of his being wounded. Of course, after he was wounded, he was left there. When the firing was going on there, everybody ran away and somebody with a torch light found him lying on the ground. This is the story—not story but the report and I have got it signed by one Satyasaran. His

signature is there and he is available for interrogation. After that the man died, and the Government attempt to whitewash the whole thing is very deplorable. It is quite possible that on that day the Government did not know all the facts, but since then Mrs. Leela Roy and some other people went there and investigated into the incident and brought this document signed by the camp people—by the Secretary of the Bastuhara Samity and by those who were beaten. They have got signed document to disprove the Government version. The Commandant was not arrested. Information was given to the police. The Superintendent of Police went there. The Magistrate also went there, but he did not arrest him. He said that he could not do it—some senior military officer's permission was necessary. The Commandant along with some other officers of the camp was allowed at dead of night to go away with his family and all his belongings. They were not going to be arrested—at least they could remain there. The appropriate authority could arrest them. The Commandant is being charged with man-slaughter and deliberate cruelty of a barbarous nature, but even then he was allowed to go away. Next day, when the camp people enquired about him, they were told that he had been given leave. I do not know where he is—Dr. Roy knows it. I voice here the demand of the public as voiced in several meetings. There must be an impartial enquiry by eminent public men or better still by a High Court Judge. A suggestion has been made that the enquiry committee should be presided over by Dr. Radha Benode Pal. I think that is the best suggestion that can be made. A better Jurist than him it is difficult to find. I think the Government should immediately agree to this suggestion made by the public.

There is also one thing I would request Dr. Roy to take note of. There is an attempt to remove some of the refugees from there. The refugees feel—I do not know but the refugees feel—that this is an attempt to take away witnesses from the place. Therefore, I would request Dr. Roy to go into the matter immediately and let us have the facts—the facts that he will get, I do not know what they are—but the people will have more trust in an enquiry committee over which Dr Radha Benode Pal presides. Then those who have been injured and killed should get proper compensation. That man has a wife, a child and old parents. Others also should get compensation. At the same time, no refugee should be taken away from there who can give any evidence on this subject. I think no member of the Cabinet—far less the Chief Minister—can desire that a Commandant should behave like that. The public demands and expects of him to rise up to the occasion and accept the enquiry committee which is being demanded.

Sj. KUBER CHAND HALDAR: মাননীয় সভাপতি মহাশয়, আমাদের মহামান্য রাজ্যপাল যে ভাষণ দিয়েছেন তা সত্যই আনন্দদায়ক। এবং সেটা আরও আনন্দদায়ক হতো যদি তিনি আমাদের মুর্শিদাবাদ জেলার হাজার হাজার নরনারী কিছুদিন যাবৎ যে অনাহারে অর্দ্ধাহারে দিন কাটাচ্ছে তাদের সম্বন্ধে কিছু বলতেন। কিন্তু তিনি তা কিছু বলেননি। তবে আমাদের খাদ্য মন্ত্রিমহাশয় ভালভাবেই কাজ করেছেন। আমি যখন তাকে সংবাদ দিই--যখন অবস্থাটা সঙ্গীন, আমাদের মুর্শিদাবাদ জেলায় চাল হঠাৎ অদৃশ্য হয়ে যায়--তখন তিনি আমার সংবাদ দেওয়ার সঙ্গে সঙ্গেই চাল কিছু despatch করেছিলেন বটে কিন্তু সে চাল পৌঁছাতে দশ বারো দিন দেরী হয়ে যায়। এ অবস্থায় লোকের অনেক কষ্ট হয়। আরও পর পর দু'তিন বার চাল যাওয়ায় লোকের কষ্ট লাঘব হয়েছে বটে কিন্তু সমস্যার সম্পূর্ণ সমাধান হয়নি। এখন আবার সেখানে চালের দর বেড়েছে। সেজন্য খাদ্য মন্ত্রিমহাশয়ের দৃষ্টি আকর্ষণ করছি। এবং অনুরোধ করছি আরো কিছুটা পরিমাণ চাল পাঠালে তাদের কষ্টের লাঘব হতে পারে।

এখন বাস্তুহারা সম্বন্ধে কিছুটা বলবো। প্রধান মন্ত্রিমহাশয় এই অল্প সময়ের মধ্যে ১১ লক্ষ লোকের পুনর্বসতির ব্যবস্থা করেছেন সেটা খুবই ভাল করেছেন কিন্তু আরও অনেক লোক যে রাস্তা ঘাটে পড়ে থাকছে তাদের জন্য

যেন শীঘ্রই ব্যবস্থা করে সকলের প্রশংসাভাজন হউন। আর একটা কথা এ বৎসরে আরও ৬০টী হেলথ্ সেণ্টার হবে, তার মধ্যে যেন ৫।৬টী মুর্শিদাবাদ জেলার জঙ্গীপুর মহকুমায় হয়—এই সব হেলথ্ সেণ্টার না হওয়া পর্য্যন্ত মহকুমা হাসপাতালে যে সব extra bed ছিল সেগুলো তুলে দেবার যে হুকুম হয়েছে, নূতন ব্যবস্থা কার্য্যকরী না হওয়া পর্য্যন্ত সেগুলি যেন তুলে দেওয়া না হয় এই আবার প্রধান মন্ত্রিমহাশয়ের নিকট অনুরোধ। আমি আর কিছু বলতে চাই না।

SJ. NISHAPATI MAJHI : মাননীয় স্পীকার মহাশয়, মাননীয় রাজ্যপাল এই পরিষদে যে অভিভাষণ প্রদান করেছেন সে বিষয়ে অনেকে অনেক কথাই বলবেন। একটা কথা এখানে বিশেষভাবে উল্লেখযোগ্য যে দেশে আজ পুনর্গঠনের দরকার। বিশেষ করে বাস্তুহারাদের পুনঃপ্রতিষ্ঠাই সব চেয়ে বড় কাজ। এদিক দিয়ে আজ পশ্চিমবাংলা কতদূর অগ্রসর হয়েছে এবং কি নীতি দ্বারা এদের সুপ্রতিষ্ঠিত করতে পারা যায় এটা সারা বাংলা দেশের পক্ষে চিন্তার বিষয় হয়েছে এবং অনেকেই চিন্তা করছেন।

কিছুদিন হ'ল পশ্চিম বাঙলায় প্রত্যেক ইউনিয়নে বাস্তুহারাদের প্রতিষ্ঠিত করবার জন্য একটা আন্দোলন আরম্ভ হয়েছে। আমার দৃঢ় বিশ্বাস যে বাস্তুহারাদের পুনরায় প্রতিষ্ঠিত করতে হলে দেশে যেখানে যত পতিত জমি, পতিত ঘর বাড়ী বা অন্য যা কিছু পরিত্যক্ত বস্তু আছে, তাহা এই সব নবাগতদের প্রদান করলে এই সমস্যার বহুলাংশে সমাধান হবে এবং এইরূপভাবে তাহাদের পুনঃপ্রতিষ্ঠা করাই আমি মনে করি এদেশের প্রধান কর্ত্তব্য।

আমার এক বন্ধু বাস্তুহারাদের বিষয়ে বলছেন—এগার লক্ষ লোকের মধ্যে বহু লোককে তাদের অনিচ্ছাসত্ত্বেও ধরে নিয়ে, যেন তেন প্রকারে যেখানে সেখানে বসান হয়েছে, আবার অন্য কেউ হয়তো বলবেন, কিছু একটা করার জন্যই এগার লক্ষ জনকে পুনঃপ্রতিষ্ঠা করা হয়েছে এবং এই অঙ্কটা এখানে সেজন্যই দেখান হয়েছে। যা হউক সেটা খুব বড় কথা নয়, বা বিষয়টা বাস্তবিক তা নয়। আজ ৪০ লক্ষ লোকের মধ্যে সত্যিই সকলের হিসাব করে দেখা উচিত যে, এরা কতজন নিজেদের সামর্থে নিজেদের ব্যবস্থা করে নিতে পেরেছে আর কত জনকে সরকার সাহায্য দিয়েছেন এবং দেশবাসী কতটা এই কাজে নিজেদের উৎসাহিত করেছে। বড়ই দুঃখের বিষয় যে, পশ্চিম বঙ্গবাসীদের মধ্যে একটা বিরূপ মনোভাব পূর্ব বঙ্গের উপর রয়েছে এবং পূর্ব বাঙলারও কোন কোন বন্ধুর এইরূপ মনোভাব আছে। দেশের এই দুর্দ্দিনে এইরূপ মনোভাব উভয় পক্ষেরই বেদনাদায়ক ও ক্ষতিকারক। শুনতে পাওয়া যায়, এদেশ বুদ্ধি এবং শক্তির দ্বারা এক দল লোকের করায়ত্ত হবে। পশ্চিম বাঙলায় যে সমস্ত অকর্মণ্য লোক আছে, তাদের নিশ্চয়ই একদিন পরাজিত হতে হবে এবং সব কিছু ছেড়ে তাদের কাছে মাথা নত করতে হবে। এই কথাটা শুনতে অনেকের মনে দুঃখ হয় আবার কেহ হয়ত আনন্দও বোধ করেন। অনেক বন্ধু একথাও বলেন যে, পশ্চিম বঙ্গে বাস্তুহারাদের ন্যায় বহু দুর্গত লোক আছে, কিন্তু তাদের বিষয়ে কেহ ভাবে না। যাঁরা পূর্ব বঙ্গ থেকে এসেছেন, তাঁদের ঘর বাড়ী দিয়ে যেভাবে সাহায্য করা হচ্ছে, ঠিক সেই ভাবে এদেশের দুর্গতদের জন্য কোন ব্যবস্থা কেন করা হয় না। অবশ্য এ আমাদের আলোচ্য বিষয় নয়। নীতির দিক থেকে যারা আজ দেশ ছাড়া, গৃহ ছাড়া হয়েছেন, তাঁদের সঙ্গে এদের তুলনা এক্ষেত্রে করা চলে না। পশ্চিম বাঙলায় কোন কোন ব্যক্তি হয়ত ঠিকভাবে খেতে পায় না, অনেকে হয়ত বহু দুঃখ কষ্টের মধ্যে আছে, কিন্তু যারা ঘর বাড়ী ছেড়ে, মানসম্ভ্রম হারিয়ে এখানে এসে আশ্রয় নিয়েছেন তাদের কথাই সর্ব্বাগ্রে ভাবা কর্ত্তব্য। কেন না দেশ বিভাগ হওয়ার জন্যই তাঁরা এরূপ দুঃখে পতিত হয়েছেন। আজ যে পশ্চিম বাঙলায় এমন একটি জনমত গড়ে উঠেছে যে সবাই একবাক্যে বলতে বাধ্য হয়েছেন যে "যত নবাগত এখানে এসেছেন তাঁদের আমরা প্রতিষ্ঠিত করব, এর মধ্যে কোন দ্বিমত নেই", এর জন্য গভর্ণমেণ্টকে ধন্যবাদ দেওয়া দরকার।

আমি জানি একজন রিলিফ্ অফিসার বাঁকুড়ায় গিয়ে যে সমস্ত হ্যাণ্ডবিল পেয়েছিলেন তা এখানে পাঠ করা যায় না। আবার এমনও দেখা গিয়েছে, যে সমস্ত বাস্তুহারা ক্যাম্প থেকে যায়, তাদের নিয়ে গ্রামের লোক শোভাযাত্রা করে, গান গেয়ে গ্রামের ভেতর নিয়ে যায়, তাদের সেখানে প্রতিষ্ঠিত করবার জন্য। এমন অনেক জমিদারও আছেন যাঁরা এই সমস্ত বাস্তুহারাদের আহ্বান করে বলেছেন যে, "আমরা তোমাদের এখানে প্রতিষ্ঠিত করতে চাই"। আজ এই যে মনোভাব দেশের সর্বত্র গড়ে উঠেছে, তাকে গঠন করেছেন আমাদের রাজ্য সরকার।

আর একটি আলোচ্য বিষয় হোল পূর্ব বঙ্গ হ'তে বহু শক্তিমান ব্যক্তি এখানে এসেছেন। তাঁরা শিল্পী, কৃষক ও মজুর। আমি জানি নদীয়া জিলায় এমন বহু স্থান ছিল, যেখানে শৃগাল পর্য্যন্ত ঢুকতে ভয় করত, আজ সেসব জায়গা ঘর বাড়ী তৈরী হ'য়ে বসবাসের যোগ্য হয়েছে দেখে সত্যই আনন্দ হয়। অনেক স্থান, এমন কি খাল, বিল পর্য্যন্ত এমন সুন্দর হয়ে উঠেছে, যা পশ্চিম বাঙলায় কখনও হ'তো কি না সন্দেহ। আজ

যদি আমাদের দেশ গঠনের মনোভাব জাগ্রত হয়ে থাকে, তা'হলে আমাদের দেশে যেখানে যত অনাবাদী ও পতিত জমি আছে যৎসামান্য স্বার্থত্যাগ করে, সেখানে নিজেদেরই দেশবাসীকে বসিয়ে আমাদের দেশের শক্তি বৃদ্ধি করতে হবে। আমি জানি এই কাজে অনেকে তৎপর হয়েছেন। মাননীয় রাজ্যপাল মহাশয় বাস্তুহারা বিষয়ে যে কথা বলেছেন, সে দিকে আমরা যদি দৃষ্টি দেই, এবং দেশ গঠনের কার্য্যে স্বীয় শক্তিকে নিয়োগ করি, তাহ'লে এই সমস্ত বাস্তুহারাদের দিয়ে আমাদের দেশের শ্রীবৃদ্ধি সাধন হবে।

দ্বিতীয়তঃ চাল, ধান ইত্যাদি বিষয়। মাননীয় সদস্য শ্রীকুবের হালদার মহাশয় বলেছেন যে, মুর্শিদাবাদের বহু লোক অনাহারে আছেন। আমরা দেখেছি, বীরভূম, বর্দ্ধমান ও মুর্শিদাবাদ জেলায় কৃষকগণ, যারা ধান উৎপাদন করে, তারা ৭৷৷০ টাকায় ধান বিক্রয় করে আবার ৪৲--৫৲ টাকা দরে চাল কিনে খেতে বাধ্য হয়। কলিকাতায় ৬২ লক্ষ লোক থাকেন। তাদের ঠিক সময়মত ১৬৸৵০ আনা দরে চাল গভর্ণমেণ্ট থেকে দিতে হয়। পশ্চিম বাঙলায় খাদ্যের অভাব, এজন্য এই নীতিকেও গরীব কৃষকদের মাথা পেতে নিতে হয়েছে। তার কারণ এখানে অনেক নবাগত বন্ধু আছেন, গরীব মধ্যবিত্ত পরিবার আছেন, তাঁদের মুখে যদি অন্ন দিতে না পারা যায়, অর্থাৎ আমরা যদি সামান্য একটু স্বার্থত্যাগ না করতে পারি, তাহ'লে তাঁদের বেঁচে থাকার কোন আশা নেই। দরিদ্র কৃষকগণ পর্য্যন্ত তাই অন্নহারাদের বাঁচাবার জন্যই নিজেদের ক্ষতি স্বীকার করে চলেছে। অনেকে বলে থাকেন যে, নানারকম জোর জুলুম দ্বারা এই চাল চাষীদের কাছ হতে আদায় করা হয়। কিন্তু আমি জানি যে, এই খরিদের মাত্র ১৩।১৪ ভাগ সরকার হতে সংগৃহীত হয়। স্বেচ্ছায়ই কৃষকগণ সরকারকে এইসব ধান বিক্রি করেন।

আজকে এইসব স্বার্থত্যাগী চাষী, কৃষি, শিল্পীর দিকে দৃষ্টি দিতে হবে। বিশেষ করে তাদের স্বাস্থ্যের উন্নতির জন্য যে পরিকল্পনা সরকার কার্য্যকরী করেছেন তার বিহিত করতে হবে। যদি প্রতি ইউনিয়নে তাদের চিকিৎসা ব্যবস্থার এই পরিকল্পনা কার্য্যকরী হয়, তাহ'লে এদের দ্বারা দেশের ফসল উৎপাদন বৃদ্ধি হবে এবং অধিক উৎপাদনের দ্বারা ক্ষতিও পূরণ হবে। দেশ আজ ম্যালেরিয়া জর্জ্জরিত। আমরা গ্রামাঞ্চলে কাজ করতে গিয়ে দেখেছি, ক্ষেতে ধান কাটবার সময় কৃষকদের তাগৎ নেই, পেট টিপলে বড় বড় পীহা হাতে ঠেকে, তাদের দেহ রোগে ক্ষীণ ও পঙ্গু হয়ে গেছে। কাজেই দেশকে আজ গড়তে হলে এইসব ব্যাধির হাত থেকে দেশের কৃষকদের মুক্ত করতে হবে। ম্যালেরিয়া কালাজ্বর প্রভৃতি রোগ দেশ থেকে দূর করতে হবে। এতদিন গ্রামের লোক উপযুক্ত চিকিৎসা থেকে বঞ্চিত ছিল। আজ গ্রামের সরকারী ডাক্তার গ্রামের একদিকে শিক্ষক ও কর্মী এবং আর একদিকে তিনি চিকিৎসক। ব্যক্তিগত স্বাস্থ্যের দিক থেকে তাঁরা আজ দেশকে উদ্বুদ্ধ করে তুলেছেন। সরকারের স্বাস্থ্য বিভাগের এই আয়োজন প্রশংসনীয়। এইরূপ রোগ-নিবারণ পরিকল্পনা কার্য্যকরী হলে সত্যিই দেশের শ্রীবৃদ্ধি সাধিত হবে। আমাদের সরকার পরিকল্পনা গ্রহণ করে দেশের জনসাধারণের যে চিকিৎসার সুবন্দোবস্ত করে দিয়েছেন, তার জন্য দেশবাসী কৃতজ্ঞ।

তারপর আমাদের দেশের পল্লী-অঞ্চলে আজও পানীয় জলের অভাব। অবশ্য আজ আমাদের সব দিকেই সমস্যা, কিন্তু মনে রাখতে হবে পল্লী-সমস্যা আমাদের নিকট সব সময় প্রধান হয় না। বস্ত্র সমস্যার উদ্ভব কখন হয়? যখন কলিকাতা নগরীর লোক বস্ত্র পায় না, তখনই খবরের কাগজে বড় বড় শিরোনামা বের হয়, কিন্তু গ্রামের ব্যাপারে তা হয় না। গ্রামের লোক পিপাসায় ভাল পানীয় জল পায় না, অস্বাস্থ্যকর স্থানে তারা বাস করতে বাধ্য হয়, কিন্তু সেসব কথা কাগজে স্থান পায় না। আজ জাতীয় সরকার গ্রামাঞ্চলে পানীয় জল সরবরাহ করবার একটা বিরাট পরিকল্পনা স্থির করেছেন এবং প্রতি ইউনিয়নে তা কার্য্যকরী করবার ব্যবস্থা করছেন। আরও অনেক জনকল্যাণকর পরিকল্পনা আমাদের সরকারের সামনে রয়েছে। আজ নীতির দিক থেকে প্রশ্ন করা চলে, দেশকে গড়ে তুলবার জন্য বৃহৎ ও ক্ষুদ্র পরিকল্পনা আমাদের সামনে এসেছে, সেই পল্লী-উন্নয়ন পরিকল্পনার দিকে কার কতটা দরদ আছে? কে কতখানি শক্তি এদিকে নিয়োগ করেছেন। আজকে তা যাচাই করে দেখবার সময় এসেছে। আমাদের মাননীয় নেতা গত অধিবেশনের সময় পার্টির সভায় বলেছিলেন যে, প্রত্যেক সদস্য তাঁদের জেলার স্বাস্থ্যের উন্নতি, চাষের উন্নতি, ব্যবসা-বানিজ্যের শ্রীবৃদ্ধি প্রভৃতি সব কিছু সমস্যার যত শীঘ্র সম্ভব একটা কার্য্যতালিকা করে তা আমার কাছে উপস্থিত করবেন এবং সেই কার্য্যতালিকা সামনে রেখে তাঁরা গ্রামোন্নয়নের কাজে অগ্রসর হবেন, কারণ এমন একটা দিন আসছে যে শুধু গলাবাজী করে পরের সমালোচনা করে কোন লাভ হবে না। আগেকার মত নির্বাচন কেন্দ্রে ভোটারদের ধরে আনবার দিন আর নেই। আজ কাজের দ্বারা ভোটারদের সন্তুষ্ট করতে হবে, তাদের ঘরে ঘরে যেতে হবে এবং প্রত্যেক নির্বাচন এলেকার দুঃখ দৈন্যের প্রতিকার করতে হবে। শুধু পরের কুৎসা করলেই চলবে না।

আমি আশা করি যে কর্মপদ্ধতি পশ্চিম বঙ্গ সরকার গ্রহণ করেছেন, যদি সেই কর্মপদ্ধতি গ্রহণ করে স্বীয় পল্লি দেশের কল্যাণে উৎসর্গ করেন, তাহলে শুধু যে ভোটারদের জোরেই তারা বিধান সভায় আসবেন তা নয় তাতে আমাদের দেশেরও প্রভূত কল্যাণ ও শ্রীবৃদ্ধি সাধন হবে।

আর একটা বিষয় এখানে উল্লেখযোগ্য ও গর্বের বিষয় যে দেশ স্বাধীন হবার পর একটা সামাজিক অযোগ্যতা দূরীকরণ আইন কার্য্যকরী হয়েছে; কিন্তু এক্ষেত্রে কতকগুলি দুঃখের বিষয় আছে। আইন বিভাগের মাননীয় মন্ত্রীমহাশয় এখানে আছেন। এই আইনকে কার্য্যকরী করবার দিকে পুলিশ বিভাগ মোটেই সচেতন নন। পুলিশকে এবিষয়ে প্রয়োজনস্থলে তৎপর হতে হবে। আমি এ বিষয়টা বক্তৃতা করে বললে তা অন্যরূপ গ্রহণ করবে। মোটামুটি একটা গল্প বলছি--ব্রহ্মা বসেছিলেন, এমন সময় একদিন একটা ছাগল ছানা সেখানে এসে নতজানু হয়ে বললো--"হুজুর, আপনার কাছে এসেছি একটা বিচারের আশায়"। ব্রহ্মা বললেন--"কি বিচার হে বাপু?" ছাগল ছানা বললো--"প্রভু, আমাকে যে দেখে সেই খেতে চায়"। তখন ব্রহ্মা বললেন--"বাপু হে, কি আর বলবো তোমাকে দেখে আমারই খেতে লোভ হচ্ছে"। এই শুনে ছাগল ছানা "বাপ" বলে পাঁই পাঁই করে সেখান থেকে ছুট্ মারলো। আজ আমরা যখন বলি আমাদের শিক্ষা চাই, ঘর বাড়ী, টাকা পয়সা চাই, তখন আমাদের ঐ ছাগল ছানার কথা মনে পড়ে। আমরা এসব সামাজিক অধিকার কার কাছে চাই, কে দেবে আমাদের অধিকার? কি উপায়ে বাড়বে আইনের মর্য্যাদা? আজ যদি কোন পুলিশ অফিসারের কাছে গিয়ে কোন অস্পৃশ্য সন্তান বলে যে অমুক গোঁড়া পণ্ডিত আমাদের ক্রিয়া কর্ম করেন নাই, অমুক নাপিত আমাদের চুল কাটেন না, তখন সেই সব পুলিশ অফিসার একটু মুচকে হেসে বলেন, "বাপু হে, এটা ব্যক্তিগত ব্যাপার। গ্রামের জন্য ঐ আইন হয় নাই--কেবলমাত্র সহরবাসীর জন্য হয়েছে"। আবার সহরের অফিসার বলেন অস্পৃশ্যতা বলে কিছুই নাই। এই রকম মনোবৃত্তি আজ সারা গ্রামাঞ্চলে ছড়িয়ে পড়েছে এবং সহর-অঞ্চলে এই হীন মনোভাব গড়ে উঠছে। এই সুযোগে অনেকে বলতে চায় স্বাধীনতা ত অর্জন হয়ে গিয়েছে আবার Scheduled caste বা হরিজন হরিজন করা হচ্ছে কেন? হরিজনরা যেমন পায়ের তলায় ছিল তেমনি থাক। এটা খুবই বেদনাদায়ক। আমি জানি আইন-সচিব মহাশয় বিভিন্ন সম্প্রদায়ের মতামতসহ একটা বই ছেপেছেন। তাতে পণ্ডিত সমাজ এই কথাই বলেছেন--দেশে এই যে আইন আপনারা করতে যাচ্ছেন সেখানে রাষ্ট্রের কোন অধিকার নাই। কেননা মন্দিরে প্রবেশ যদি চণ্ডালেরা করে তাহলে ঠাকুর অপবিত্র হয়ে যাবে এবং দেবমন্দির নষ্ট হয়ে যাবে। ছোট লোক অস্পৃশ্য, তারা নরকে থাকবে--এইতো সনাতন বিধান। নতুবা তাদের মুক্তি নাই।

আজ তাই আমি পশ্চিম বঙ্গ সরকারের কাছে এই কাতর প্রার্থনা জানাচ্ছি- বিশেষতঃ আইন-সচিব ও প্রধান মন্ত্রীর কাছে--এই আইনের রূপ বদল করতে হবে, অর্থাৎ তৎপর সংশোধন প্রস্তাব আনতে হবে। তাহলে আমাদের সমাজ প্রত্যেক হিন্দুকেই সমান অধিকার দিতে বাধ্য হবে। এই বলে আমার বক্তব্য শেষ করছি এবং মাননীয় রাজ্যপাল মহাশয় যে ভাষণ দিয়েছেন তা সর্বান্তকরণে সমর্থন করছি এবং আমাদের Secretary মহাশয় যে প্রস্তাব এখানে উপস্থিত করেছেন তা অন্তরের অন্তঃস্থল থেকে সমর্থন করছি।

The House was then adjourned for fifteen minutes.

(After adjournment.)

Janab MD. KHUDA BUKHSH: Mr. Speaker, Sir, I am thankful to His Excellency for affording us this opportunity of discussing the policy that is being pursued in the various departments of his Government. In his most excellent speech he has covered quite a wide field of administrative activities that are being pursued by his Government. But, Sir, here I have to draw your attention to one or two things that appear to me to be misleading. Sir, in his speech referring to the success that has attended the Delhi Pact and its working he has said that "since the pact my Government have been able, by energetic action, to create such conditions in my State where, as the migration figures show, larger numbers of Muslim migrants are coming back and are being restored to their former life".

Sir, I have no quarrel with the fact that larger numbers of Muslims who had migrated consequent on the disturbances are coming back to the

State. But, Sir, I do not know if His Excellency has been well advised by his Government to have stated before this Assembly that they are being restored to their former life.

Sir, I suffer from an initial disability that I happen to be a representative chosen from this House to work in the Minority Commission set up under the Delhi Agreement. There are many things that have come before me in the Commission and we have taken upon ourselves a self-imposed embargo that whatever comes to our notice through the Commission is confidential and, therefore, Sir, I shall not be able to give you the figures and the facts that have come to my notice as a Minority Commissioner. But, Sir, generally speaking, I shall have to tell you and tell this House, because this House is my constituency, I represent this House in the Minority Commission, exactly what has been achieved by way of implementation of the Delhi Agreement. Sir, you are aware of this that thousands upon thousands of Mussalmans had migrated to various places, many of them outside this State of West Bengal. Consequent upon the signing of the Agreement and the cessation of blood-shed and turmoil, the Mussalmans came back. That is not to say that they came back because they were convinced that there was a sense of security or complete security was prevailing in this country, but because they felt that the signing of the Agreement was a great augury and better conditions would soon follow. Sir, there is no wide-scale lawlessness today, but I, as a representative of the minorities, am bound to tell you and through you to this House that that sense of security which the Delhi Pact sought to achieve and infuse in the minds of the Mussalmans has not been attained and realised.

Sir, this statement of His Excellency that they are being restored to their former life means that they are being rehabilitated, that they are being given back their houses, that they are being given employment that they held, that they are being restored to their shops, that they are being, generally speaking, restored to their normal avocations they had before they left this country. I am afraid, Sir, this is not being done. It would be interesting to ask this Government to give this House facts and figures telling this House how many villages and how many *mahallas* in the towns were affected during the last disturbance, how many Muslims were killed, how many houses were burnt, how many houses were looted, how many Muslims migrated to Pakistan or elsewhere, how many have since returned, how many houses have since been returned to the Muslims—about industrial labour—how many Muslims have been given back their jobs, what is the relief given to the Muslims immediately after the disturbance and what is the relief being given to the Muslims after they have come here by way of rehabilitation grants.

Sir, I can inform this House that the Government of the State decided to give Muslims an all-purposes grant of not exceeding Rs. 200 and the distribution of these grants was left to the district authorities. The district authorities were expected to use their discretion in the disbursement of these grants. I can tell you this, Sir, because I have got the figures that, without naming the districts, most of the districts have not yet given returns of their figures and I do not know what they have done, but with regard to those districts which have given their returns, not more than 5 per cent. have received a grant of Rs. 100 and mostly they have received between Rs. 18 and Rs. 14 per family. I ask you, Sir, in all humility, is this enough for rehabilitation of a Muslim who was rendered a destitute due to the disturbance? Sir, the State of West Bengal could not give protection to the minbrities, for reasons I am not going to go into

at the moment because it would be useless—I want to bury the dead past, but it is a very, very important question—the amount which was granted, because it is currently enjoying the attention of Government.

Sir, in this connection it would interest you to draw a comparison. The East Bengal refugees who are our charge and whom we have given our sacred word that we shall rehabilitate them in this province are getting a certain sum. The Muslim nationals of West Bengal who were driven out also suffered greatly. The horrors are all well known to you, Sir. They went away, they have come back quite in the same distressful conditions as the East Bengal refugees. They have been treated on a footing different from the East Bengal refugees. Sir, His Excellency has also observed that many refugees have fitted themselves into the economy of this State, but I wonder, Sir, if His Excellency has been told by his Government exactly through what process this rehabilitation took place or was achieved. I wonder, Sir, if His Excellency knows that hundreds of acres of land were forcibly occupied by the refugees and built upon. This process commenced a long time ago. You will recall that during the last debate on His Excellency's speech I mentioned it. It was greatly accelerated by the recent disturbance and hundreds upon hundreds of acres of land have been forcibly taken possession of by the refugees and built upon. Where is the indication of Government policy in regard to those lands? Sir, I might tell you that of the hundreds of acres of land forcibly occupied by the refugees the large majority belongs to the Muslims. I do not know, Sir, why the refugees coming over from East Bengal should develop a hostile attitude towards the Mussalmans here. They should realise that here we suffered the same fate as they did in East Bengal. We are sufferers of a common malady. They should instead be more friendly and more sympathetically disposed towards the minorities. Sir, I hope this appeal will go out to them.

Sir, His Excellency has mentioned that machinery has been provided for the restoration of immovable property, houses as well as other immovable property, to the returning migrants. Sir, immediately after the signing of the pact there was a real energetic action and in Calcutta restorations were brisk and many. In the districts the restoration is negligible and in many districts nil. Then, Sir, it was discovered by Government that the present laws of the land were deficient and the police had no authority to summarily evict the trespassers and restore the lawful owners and occupants to possession. We have been told for a long time now that legislation is contemplated. Sir, I wish that His Excellency had given us an indication why it has taken such a long time to bring in an all-important legislation for the rehabilitation of the Muslim migrants.

Sir, this question of rehabilitation is one whether it be the rehabilitation of East Bengal refugees or the Muslim displaced persons of West Bengal, which could have been treated separately, but now the two are so bound up together that it is impossible to treat one separately from the other, because the East Bengal refugees who under compulsion of circumstances came away here and chose not to go back are in possession of houses and properties left vacant by displaced Muslims. There was a time when by energetic action Government could have restored to the Muslims their houses and properties without having to make any alternative arrangement for accommodation of the refugees, but now the position is such that alternative accommodation for the refugees will have to be made before they can be ousted from properties under their forcible occupation. Where is the building programme of the Government? Alternative accommodation will have to be given to the refugees before

they can be ousted from Muslim houses. It will not do for Government to take shelter behind arguments. Government, if they are sincere, if they are out to implement the annexure as well as the main Delhi Agreement, have to undertake to settle the returning migrants, in their houses. In order that they may succeed in doing so, they must be able to take the refugees somewhere and give them shelter. The problem has been suffered to acquire such complexities and assume such proportions that the Government are bewildered, but they have to make a beginning, and I think the beginning should be made with building of houses, huts, tenements, transit camps or whatever you may like, but I must demand of the Government today that Government should solve this problem. It cannot be solved piecemeal. I realise this and agree with the Government that it cannot be done that way, but where is the beginning? I would request the Chief Minister to take note of this and make a beginning.

Sir, the rehabilitation of the returning migrants has been another aspect. They should be given opportunities to return to their avocations of life. Hundreds of industrial workers were displaced. They were dismissed on the ground that they had left without notice. Sir, I challenge this. I wish Mr. Walker were here and also the group that he represents. I challenge this; they did not leave without notice. I ask you in all humility: Is this going without notice? When Government made arrangements for special trains for evacuation of industrial workers, Government themselves thought that it was unsafe for the Muslims to stay where they did, and they made arrangements for their safe evacuation to various places even to Pakistan. They were given only seven days' to resume their duties. Sir, is that fair? Government have undertaken in the annexure of the Delhi Agreement to persuade the employers to reinstate returning migrants. I have not yet seen any circular going out to the large employers of labour requesting them to reinstate the returning Muslims as far as possible. Sir, even the Corporation of Calcutta which is under the direct administration of Government refuses to take back the returning migrants. Sir, as regards unlawful and forcible occupation of lands, the sufferers—the aggrieved party—have gone from post to pillar and from pillar to post and at last to the Minority Commission but they have got no redress anywhere. Some of them have even approached the courts of law for trespass; they tried to seek redress under appropriate sections of the law. You will be surprised to learn, but it is true, that in a particular case one Maharaddi Shaikh moved the Subdivisional Officer of Alipore and got an order for the Tollygunge police-station to enquire into the matter. The Second Officer of Tollygunge sent his report stating that the petition was true. On the 16th June last, the Subdivisional Officer ordered the Officer-in-charge of Tollygunge police-station to treat the petition as the first information report and challan the accused persons. Sir, nothing has even up to today been done.

In another case Mrs. Momin also sought redress in a court of law. The remarks of the trying Magistrate are revealing. He said "after repeated reminders when he failed to obtain even a report from the Tollygunge Police, he wrote on the order-sheet that the entire somnolent police deserve to be given a shake-up. Copy of this order should be forwarded to the Superintendent of Police". Sir, the Hon'ble Chief Minister,—I think he is here in this House—I hope, will tell us exactly what he proposes to do in regard to the lands forcibly occupied by the refugees. If it is the intention of the Government or the policy of Government to acquire those lands, by all means let them do it, because the refugees will have to be housed. Speed up the acquisition proceedings, so that the persons who have lost their lands, could get back a little benefit in return of the losses suffered by

them. Mr. Banerjee, while speaking about the refugees, requested the Government to allow the social workers to assist them in the administration of the refugee colonies and camps. I do not know what type of social workers he might have in mind, but from what we have read in the papers, I think Government have been wise to discourage such social workers to visit the camps. The Governor, Sir, in his excellent speech has mentioned about the refugees that it has been possible by surveying the type of people in the camps to allot to a village such artisans of different categories as would usefully fit into its economic life. This is excellent, but I must say, Sir, that it is rather late in the day. It should have been thought about much before and this rehabilitation should have proceeded along these lines. He has also mentioned in his most excellent speech that Calcutta has not only been overcrowded with refugees seeking shelter here but there are a large number of students also. I agree with the observations of His Excellency. But, Sir, I am afraid, Calcutta is overcrowded not only with refugees but is also overcrowded with us—normal residents of Calcutta. But no mention has been made of the housing schemes and satellite towns and other schemes that we were wont to hear during the budget discussion. What has been achieved, what has been done? I think this House can demand of the Government an answer and also an indication as to what exactly those proposals and schemes were.

Then his observation is that West Bengal is very poorly provided with roads and means of communication. Sir, it brings into mind also the state of transport in the country that we have everyday. It is common knowledge that our transport services are none too adequate. Thank God that communists are no more out and roaming about burning tram cars. But, Sir, even then, the transport is hopelessly inadequate; but even with all this inadequate transport you may have read in the newspapers that Government have decided to take off the road as many as 159 buses. I do not know what the Government's reasons for such withdrawal are, but I have also read comments in the daily press criticising the Government for having refused permission for 159 buses to be on the road. Sir, this is inconsistent. We cannot on behalf of the State augment our transport services and if private enterprises were to come and give us a little assistance in the solution of the problem, we turn it down. I do not know what the reasons are. But I hope in course of time we shall be enlightened about it.

Sir, we have been told that we have to co-operate with ourselves—because what is State except ourselves—by refusing to buy at black-market rates. I shall gladly co-operate with any if I knew that I would get the goods I want at the market rates. But where is the supply of goods? If His Excellency had come out with an assurance that Government would try and combat this menace, this anti-social activity of black-marketing, by opening fair price shops where consumer's interest would be safeguarded, I would have welcomed it. But it is a mere platitude, if I may use that word in connection with the most excellent speech of His Excellency delivered in this most august House.

Sj. CHARU CHANDRA BHANDARI : মাননীয় স্পিকার মহাশয়, রাজ্যপাল মহাশয় যে ভাষণ দিয়েছেন তারজন্য তাঁকে ধন্যবাদ জ্ঞাপন করে যে প্রস্তাব উপস্থাপিত হয়েছে তা সমর্থনের জন্য দাঁড়িয়েছি। রাজ্যপাল মহাশয় তাঁর ভাষণে সাম্প্রদায়িক পরিস্থিতি ও দিল্লী চুক্তির কথা আলোচনা করেছেন। দিল্লী চুক্তিতে যে ভাল কাজ হয়েছে সে বিষয় সন্দেহ নাই। দিল্লী চুক্তির ফলে সাম্প্রদায়িক পরিস্থিতিতে এক বৈপ্লবিক পরিবর্তন হয়েছে। জনসাধারণের মনোভাব অনেক ভাল হয়েছে এবং যে সমস্ত বাস্তুত্যাগী পূর্ব বাঙ্গলায় বাস্তু ত্যাগ করে পশ্চিম বাঙ্গলায় আসছে এবং পশ্চিম বঙ্গ থেকে যে সমস্ত মুসলমান বাস্তু ত্যাগ করে পূর্ব বাঙ্গলায় যাচ্ছে, এই যাওয়ার ব্যাপারে দ্রুত পরিবর্তন হয়েছে। পশ্চিম বঙ্গ থেকে এখন যাওয়া বন্ধ হয়ে গিয়েছে এবং পূর্ব বঙ্গ থেকে

আসাও অনেক কমে গিয়েছে, এবং তাদের আসার ব্যবস্থায় পথে যে নিষেধ ও অসুবিধা আছে তাও অনেক কম হয়ে গেছে সে বিষয়ে কোন সন্দেহ নাই। এবং সরকার পূর্ব বাঙ্গলা থেকে যে সমস্ত বাস্তুত্যাগী এসেছে তাদের ৩০ লক্ষের মধ্যে ১১ লক্ষকে ইতিমধ্যেই পুনর্বাসনের ব্যবস্থা করেছেন এটা ভাল কথা। এ ছাড়াও অন্যান্য বাস্তুত্যাগী যারা পূর্ব বাঙ্গলা হতে এসেছে তাদের এখনও কোন ব্যবস্থা হয়নি। সরকারের এই সম্পর্কে অনেক বাধা বিপত্তি, অনেক অসুবিধা রয়েছে, এই বিষয় আমরা উপলব্ধি করি কিন্তু যারা বাস্তুত্যাগী তারা এই জিনিষটা উপলব্ধি করিতে পারে না। তাই সরকারের যে সমস্ত অসুবিধা আছে তা সত্ত্বেও সরকার যেন বাস্তুত্যাগীদের মনোভাব নিয়েই দেখেন, কারণ যে বাস্তুত্যাগী, বা বাস্তুহারা হয়—আমরা অপেক্ষা করতে পারি, বুঝবার চেষ্টা করতে পারি কিন্তু তারা কিছুতেই সে কথা বুঝতে চায় না। তাদের দেরী সয় না; সরকারের পক্ষে দেশের মধ্যে তাদের পুনর্বাসন করার কি অসুবিধা আছে সেটা তারা মানে না। তারা যে অবস্থায় আছে তাদের পক্ষে সেটা মানাও সম্ভব নয়। এজন্য এই সমস্যাকে যেমন করেই হোক আমাদের সরকারকে সমাধান করতে হবে। Congress President এই কথা বলেছেন। যেমন করেই হোক, tax করে হোক বা capital levy করে হোক, তাদের অবিলম্বে পুনর্বাসন করতে হবে। আমি সরকারের দৃষ্টি এইদিকে আকর্ষণ করছি এবং তাদেরকে বাস্তুত্যাগীর অন্তর নিয়ে এইটা সমাধানের চেষ্টা করতে বলছি। যেমন পূর্ব বঙ্গের বাস্তুহারা তেমন পশ্চিম বঙ্গের যারা মুসলিম বাস্তুহারা যারা পুনর্বার প্রত্যাবর্তন করেছে বা অন্যভাবে বাস্তুচ্যুত বা স্থানচ্যুত হয়ে গিয়েছে তাদের পুনর্বাসন সম্পর্কে এই একই কথা। কিন্তু যে কথা ইতিপূর্বে বলা হয়েছে যে Industrial Labour তাদের সম্বন্ধে সরকারের যেটুকু হাত আছে, সরকার চেষ্টা করলে তাদের জন্য হয়ত কিছু করতে পারতেন। কিন্তু সরকার তা করেন নাই। তাদের প্রতি অন্যায় অবিচার করা হয়েছে। তারা যখন এখানে ছিল না তখন তাদের ৩ দিন বা ৭ দিন সময় দেওয়া হল কাজে যোগদান করবার জন্য। কিন্তু এই সময়ের মধ্যে যারা ফিরে এলো তাদেরও reinstate করা হয় নাই। কোন কোন ক্ষেত্রে তাদের নূতন কাজ দেওয়া হয়েছে। তাদের পূর্বের কাজ দিলেও নিম্ন পদে নিয়োগ করা হয়েছে। যারা ফিরে এলো—হাজার হাজার লোক তারা কি অবস্থায় চলে গিয়েছিল? অনেকে হয়ত ইচ্ছা করেই চলে গিয়েছিল কিন্তু Industrial Labour অত্যন্ত অনিচ্ছা সত্ত্বেই যেতে বাধ্য হয়েছিল, কিন্তু তারা ফিরে এলেও কাজ পেল না। সরকারের এই সমস্ত ভাল করে দেখে যাওয়া যেখানে যে কাজে ছিল সেই কাজেই তাদের reinstate করা উচিৎ। দিল্লী চুক্তির ফলে মুসলমানদের মনের মধ্যে পূর্বের বিশ্বাসভাব ফিরে আসছে এবং সম্প্রতি নাসিক কংগ্রেসে ভারত এবং পাকিস্থান সম্পর্কে সাম্প্রদায়িক পরিস্থিতি সম্বন্ধে যে প্রস্তাব গৃহীত হয়েছে, সেই প্রস্তাব গৃহীত হবার পর আমার মনে হয় যদি কোন মুসলমানের মনে কোন সন্দেহ থেকে থাকে তা দূরীভূত হয়েছে। কিন্তু একটা কথা—দেশের আভ্যন্তরীণ সাম্প্রদায়িক বিরূপ মনোভাব সম্পূর্ণভাবে প্রসমন হয়েছে এটা বিশ্বাস করা শক্ত। সরকার যেন এদিকে নজর রাখেন এবং যাহাতে এই সমস্যা সমাধান হয়, এই সাম্প্রদায়িক বিষাক্ত আবহাওয়া দূর হয়—সে বিষয়ে চেষ্টা করা যেমন সরকারের কর্তব্য—তেমনি জনসাধারণ, কংগ্রেস ও সকলেরই কর্তব্য। নদীয়া জেলা, মালদহ জেলা ও বাঁকুড়ার অবস্থার দিকে যেন সরকার সতর্ক দৃষ্টি রাখেন।

রাজ্যপাল মহোদয় তাঁর ভাষণে উল্লেখ করেছেন যে এদেশের রাস্তাঘাটের ব্যবস্থার অত্যন্ত অভাব এবং তিনি বলেছেন যে ১২৯ কোটি টাকা ব্যয় করে ৭০০ মাইল রাস্তার পরিকল্পনায় সরকার অগ্রসর হয়েছেন। খুবই ভাল কথা। এই কাজ দ্রুত ও সুষ্ঠুভাবে যাতে হয়, তাই আমরা চাই। এ সম্বন্ধে একটী প্রয়োজনীয় কথা—এই সমস্ত রাস্তার জন্য যে জমি acquire করা হয় বা হচ্ছে, সেটা Land Acquisition Act অনুসারে করা হয়। তার নিয়ম হচ্ছে—জমি নেওয়ার স্থির করে সেই জমির জন্য কি মূল্য বা ক্ষতিপূরণ দিতে হবে তা স্থির করে সেই টাকা দিয়ে তবে জমি দখল করতে হবে। কিন্তু দুঃখের কথা এই সমস্ত রাস্তার জন্য যে সমস্ত জমি নেওয়া হয়েছে বা হচ্ছে, অধিকাংশ জমি before award অর্থাৎ যে টাকা সেখানে দিতে হবে, তা দেবার পূর্বেই সেই সমস্ত জমি দখল করা হয়েছে এবং হচ্ছে। অবশ্য Land Acquisition Actএ বিধান আছে—একটা ক্ষেত্রে তার ১৭ ধারায় আছে—in cases of urgency—ক্ষতিপূরণ দেওয়ার পূর্বে বা ক্ষতিপূরণ কত হবে, তা স্থির করার পূর্বে জমি দখল করা যেতে পারে। But that is in case of urgency; কিন্তু এ সমস্ত জমির যা মূল্য দেওয়ার পূর্বেই দখল নেওয়া হয়েছে সেগুলির কি urgency আছে তা বুঝতে পারি না। জমি নেওয়া হয়েছে কিন্তু রাস্তা হচ্ছে না—urgency কোথায়? অথচ এই জন্য টাকা দেওয়া বা ক্ষতিপূরণ দেওয়ার পূর্বে জমির মালিকের যে ক্ষতি হচ্ছে—আমি সরকারের দৃষ্টি এইদিকে আকর্ষণ করছি। Diamond Harbour মহকুমায় এরকম অনেক জমি নেওয়া হয়েছে এবং সেখানে compensation

দেওয়ার পূর্ব্বেই নেওয়া হয়েছে। এই যে compensation দেওয়ার পূর্ব্বে জমি নেওয়া হল এবং এক বছর বা দু বছরের মধ্যে টাকা দেওয়া হল না বা তার পরে দেওয়া হল, ইতিমধ্যে জমির মালিকের যে loss of income হবে, তা compensationএর মধ্যে যুক্ত হওয়া উচিত। কিন্তু যখন টাকা দেওয়া হয় তখন এজন্য—এই loss of income পূরণ করার জন্য—এক পয়সাও দেওয়া হচ্ছে না। একটা জমি যে জমির মূল্য পাঁচ শত টাকা, সেখানে হয়ত দুই শত টাকা দেওয়া হচ্ছে—তাও আবার জমি নেওয়ার ২ বছর পরে। এই দুই বছরে জমি দখল করার জন্য যে ক্ষতি হল, তার জন্য কিছুই দেওয়া হচ্ছে না। আমি সরকারের দৃষ্টি এদিকে আকর্ষণ করছি। এতে লোকের মনে অসন্তোষ জাগ্রত হচ্ছে। অন্যের কাছে এটা ছোট হলেও জনসাধারণের কাছে এটা অত্যন্ত বৃহৎ ব্যাপার। টাকার কথা বললেই অনেক সময় বলা হয় যে sufficient grant নেই। যদি টাকাই নেই, তবে জমি নেবার প্রয়োজন কি? আমি আশা করি সংশ্লিষ্ট মন্ত্রী মহোদয় এ বিষয়ে যেন লক্ষ্য রাখেন এবং অবিলম্বে একটা ব্যবস্থা করেন যে, যে সমস্ত জমি নেওয়া হয়েছে, অবিলম্বে সেখানে টাকা দেওয়া হয় এবং যতদিন না টাকা দেওয়া হয় ততদিনের loss of incomeএর পরিপূরণের ভাল ব্যবস্থা করা হয়। নতুবা লোকের মনে অশান্তি দেখা দিবে। এইভাবে অবিচার করে লোকের মনে অশান্তি জাগ্রত করা ঠিক হবে না। তারপর কথা হচ্ছে—মাননীয় প্রদেশপাল মহোদয়ও বলেছেন—এ বৎসর বন্যা এবং প্রাকৃতিক বিপর্য্যয়ের কথা। এ বৎসর বন্যা, প্রাকৃতিক বিপর্য্যয়—ভূমিকম্প—natural calamity—অনেক কিছুই দেশে হয়েছে। বাস্তবিকই এই বৎসরটী বন্যা, ভূমিকম্প প্রভৃতি প্রাকৃতিক বিপর্য্যয়ের জন্য কুখ্যাত হয়ে থাকবে। আসামে ও দার্জিলিংএ হয়েছে—এমন বহু স্থানে হয়েছে। সুন্দরবন অঞ্চলে বাঁধ ভাঙ্গার সঙ্গে সঙ্গে কত ধান যে নষ্ট হয়েছে তা বলা যায় না। ডায়মণ্ড হারবার মহকুমার, বসিরহাট মহকুমার অনেক জায়গায় বন্যার জন্য বহু ধান নষ্ট হয়ে গেছে—পুকুরের পানীয় জল লবণাক্ত হয়ে গেছে। এবং যে বাঁধ ভেঙ্গেগেছে তা মেরামত করা না হওয়ায় জোয়ার ভাঁটায় জল এসে সমস্ত ফসল নষ্ট হয়ে গেছে। সরকারের সামনে এটা মস্ত বড় সমস্যা। সরকার এ বিষয়ে যেন ব্যবস্থা করেন। সংশ্লিষ্ট মন্ত্রী মহোদয় এ সম্পর্কে যদি একটা বিবৃতি দেন, তবে জনসাধারণ কিছুটা আশ্বস্ত হতে পারে। সমস্যা অনেক। প্রথম সমস্যা হচ্ছে—আশু অর্থাৎ short-term ব্যবস্থা—বাঁধ মেরামত করা প্রয়োজন। বাঁধ মেরামত না হলে সেখানে লোক বাস করতে পারবে না এবং সেখানে ধান হবে না। দ্বিতীয় কথা হচ্ছে—স্থায়ীভাবে—long-term measure—মেরামতের জন্য ব্যবস্থা করা। সুন্দরবনের জমিদার—যাদের লাটদার বলা হয়—এটা তাদেরই প্রধান দায়িত্ব—কিন্তু বহুদিন পর্য্যন্ত এই লাটদারদের অবহেলার জন্য বাঁধ মেরামত হয়নি। Embankment Act মাঝে মাঝে—১৯৪৭ সালের ১৫ই Augustএর পর—দইবার amended হয়েছে। যাদের বাঁধ মেরামত করার দায়িত্ব তারা যদি তা না করে, তবে কি করে তাদের তাড়াতাড়ি বাঁধ মেরামত করতে বাধ্য করা যায় সেই ব্যবস্থা করা হয়েছে কিন্তু এইজন্য যে সংশোধন Embankment Actএ হয়েছে, তা কার্য্যকরী করে তাদের এ কাজে বাধ্য করার কোন ব্যবস্থা হয়নি। এই পর্য্যন্ত আমি জানি। এবং অনেক চেষ্টা করেও বাঁধ মেরামত করেনি। Irrigation Minister বলতে পারেন এবিষয়ে। এখন এই embankment যাতে স্থায়ীভাবে মেরামত করা যায় তারই ব্যবস্থা করতে হবে। এবং তার জন্য শেষ পর্য্যন্ত সরকারই দায়ী। সুন্দরবনে ধান নষ্ট হওয়ার জন্য Irrigation Departmentই দায়ী।

দ্বিতীয় ব্যাপার হচ্ছে, সে সমস্ত জায়গায় লোক পানীয় জল পাচ্ছে না। অনেকবার এই Assembly Houseএও সুন্দরবনাঞ্চলের পানীয় জলের অভাব দূর করার কথা বহুবার উল্লেখ করা হয়েছে যে সেখানে টিউবওয়েল বেশী করে দিতে হবে, কিন্তু আজ পর্য্যন্ত বিশেষ বন্দোবস্ত কিছু করা হয়নি। সরকারেরও অসুবিধা আছে জানি, sufficient পরিমাণে tube পাওয়া যাচ্ছিল না। কারণ এ জিনিষটা এদেশে হয় না। বিদেশ হতে আসে। কিন্তু আমার মনে হয় যেমন বাস্তুহারাদের বসাবার জন্য মস্ত বড় জরুরী সমস্যা আছে সুন্দরবনের যেখানে বাঁধ ভেঙ্গে গিয়েছে, লোণা জল প্রবেশ করায় তাদের ফসল নষ্ট হওয়ার সঙ্গে সঙ্গে পানীয় জলের অভাব ঘটেছে, সে সব জায়গায় emergency হিসাবে এক মাসের মধ্যে সর্ব্বত্র টিউবওয়েলের ব্যবস্থা করা উচিত। এখন অবস্থা এ রকম যে পানীয় জল ২৫ মাইল দূরেও পাওয়া যায় না। এই সমস্যার সমাধানের কর্ত্তা সরকার। সরকারী চেষ্টা ছাড়া অন্য কোন লোক বা প্রতিষ্ঠান কিছুই করতে পারে না। এজন্য সরকারের দৃষ্টি আমি সেদিকে বিশেষভাবে আকর্ষণ করছি, সংশ্লিষ্ট মন্ত্রী মহাশয় যাঁরা আছেন তাঁরা যেন এ সম্বন্ধে অন্ত ব্যবস্থা অবলম্বন করেন।

দ্বিতীয়তঃ, খাদ্য পরিস্থিতি সম্বন্ধে রাজ্যপাল মহাশয় উল্লেখ করেছেন রাজ্যে অনেক চাঞ্চল্য অনেক বাধা-বিপত্তি গিয়েছে, তা সত্ত্বেও আমাদের সরকার কোন রকমে খাদ্য ব্যবস্থা এযাবৎ চালু রাখতে পেরেছেন। এজন্য

সরকার নিশ্চয়ই ধন্যবাদার্হ, কোন সন্দেহ নাই। তবু এ সম্পর্কে একটা কথা বলবো। এ বৎসরে কিন্তু অন্য বৎসরের চেয়ে মফঃস্বলে ধান চাউলের দাম অত্যন্ত বেশী। কোন জায়গায় চালের দাম ২৫।২৬ টাকা আবার কোন কোন জায়গায় ২৭।২৮ টাকা পর্য্যন্ত। ডায়মণ্ড হারবারে আজকে প্রতি মন ২৭ টাকা; অন্য বছরে ২২।২৩ টাকার কম হয় না। এই বিষয়ে একটি সমস্যা এই যে সরকার সাড়ে সাত টাকা মণ দরে ধান ক্রয় করেন। সেখানে free marketই আছে, black-market নেই। সরকার অবশ্য ধান সংগ্রহ করেন ৭।।০ টাকা মণ দরে, এবং খাদ্যসচিব মহাশয় গত বাজেট অধিবেশনে figures দিয়ে দেখিয়েছেন যে, ধানের দাম প্রতি মণে ৭।।০ টাকাই যথেষ্ট। এই সম্পর্কে কোন বাগবিতণ্ডা করতে চাই না। যদিও তাঁর কাছে আমিও figures দিতে পারি, যাতে দেখাতে পারি আজকাল চাষ আবাদে যে খরচ হয়, তাতে সাধারণ ব্যবসায়ে যে হারে লাভ রাখা হয়, সেই হারে ধরলেও দশ টাকার কমে কোন পড়তা পড়ে না। সরকার ৭।।০ টাকা মণে ধান সংগ্রহ করছেন। কিন্তু সাধারণ মার্কেটে যে বেচা-কেনা হয় তাতে ধানের মূল্য মণপ্রতি ১০/১১ টাকার কম হয় না। যখন বাজারে ধানের কোন অভাব থাকে না তখনও ১০/১১ টাকার কম ধান সাধারণভাবে বিক্রয় হয় না। যেখানে এইভাবে সাধারণ বাজারের সঙ্গে পড়তা না রেখে গভর্ণমেণ্টের Procurement বিভাগ জোর করে লোকেদের বাধ্য করে নিতান্ত কম মূল্যে অর্থাৎ ৭।।০ টাকায় ধান ক্রয় করে নিচ্ছেন, সেখানে সরকার জনসাধারণের—যারা producer of rice, তাদের যথেষ্ট ক্ষতি করেছেন। সরকার যেরূপভাবে mill-owner-গণের interest দেখেন, তেমনি যদি ধান উৎপাদনকারীদের interestটাও দেখেন, তাহলে দেখতে পাবেন যে ৭।।০ টাকায় সুবিচার হয় না। যদি সরকার সহানুভূতির সঙ্গে লক্ষ্য করেন, তাহলে ধানের দাম বাড়ানোই উচিত। অবশ্য বাড়ালে অন্যান্য জায়গায় প্রতিক্রিয়া কি হয় সেটাও দেখতে হবে। যারা রেশন খায় তারা ১৭।।০ টাকা মূল্যে খায় ঠিক, কিন্তু গ্রামের লোক যারা তাদের অধিকাংশ বছরে ১৯ টাকা থেকে ২২ টাকার কমে পায় না। এজন্যও আমার মনে হয় অন্ততঃ দশ টাকা ধানের মণ করা উচিত। এই সূত্রে control রাখা না রাখার প্রশ্ন এসে পড়ে। নাসিক কংগ্রেসে অনেক ভোটা-ভুটির পর সিদ্ধান্ত গৃহীত হয়ে গেছে যে control বজায় রাখতে হবে, কিন্তু এমনভাবে করতে হবে, যেন জনসাধারণের খুব বেশী অসুবিধা না হয়। Essential articlesএর যতদিন অভাব থাকবে ততদিন control থাকা উচিত। কিন্তু কন্ট্রোল যে থাকবে তার সফলতা নির্ভর করে শাসকবর্গের উপর। এই বিষয়ে, যারা সরকারী কর্ম্মচারী, তাদের administration কেমন হয় সেইটের উপর নির্ভর করে। এতদিন দেখা গেছে, কন্ট্রোলের ব্যবস্থা বা administration যারা করে, তারা efficientও নয় সৎও নয়। সুতরাং কন্ট্রোলের দ্বারা কোন সুফল না হয়ে দুর্নীতিতে দেশ ভরে গেছে। ফলে এই দুঃস্থ দেশের দুর্দ্দশা বেড়েছে। যেদিকেই তাকান দেখা যাবে, আমাদের লোকেদের যে অসুবিধা তার কারণ corruption; সুতরাং আমাদের দেশে যে corruption, যে দুর্নীতি হয়েছে দেশের সর্বনাশ না করে যাবে না। অতএব প্রশ্ন এই দুর্নীতি, controlএর maladministration জনিত অসুবিধা মেনে নেব অথবা তা সত্ত্বে control রাখা হবে। আমি বলবো—দেশকে দুর্নীতিমুক্ত করতেই হবে এবং সেজন্য কন্ট্রোল ব্যবস্থা অসুবিধা সত্ত্বেও রহিত করা উচিত। কংগ্রেস প্রেসিডেণ্ট এই মতবাদ প্রকাশ করেছেন। সরকার সব দিকে চেয়ে দেখুন, unbiased হয়ে দেখুন। কেন্দ্রীয় গভর্ণমেণ্টের নিকট এসম্পর্কে representation দিন। নাসিক কংগ্রেসে control সম্পর্কিত যে resolution পাশ হয়েছে তাতে বিরোধী ভোটের সংখ্যা বড় কম ছিল না, একথা ভুললেও চলবে না। সুতরাং controlএর maladministration ও controlএর ফলে ব্যাপক দুর্নীতির কথা বিবেচনা করে control রহিত করবার সিদ্ধান্ত যথাসম্ভব শীঘ্র গৃহীত হওয়া উচিত। সরকার যেন এ সম্পর্কে অবহিত হয়েন।

Adjournment.

The House was then adjourned at 6-56 p.m. till 4 p.m. on Wednesday, the 27th September, 1950, at the Assembly House, Calcutta.

Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 27th September 1950, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble ISWAR DAS JALAN) in the Chair, 10 Hon'ble Ministers and 54 members.

Amendments to the motion of address in reply to Governor's Speech.

Dr. SURESH CHANDRA BANERJI: মাননীয় স্পীকার মহোদয়, দিল্লী চুক্তির মূল উদ্দেশ্য ছিল সংখ্যালঘুদের মনে নিরাপত্তার ভাব তোলা। পূর্ববঙ্গ হতে আগত উদ্বাস্তুদের মনে এই ভাব এখনও আসেনি। ফলে ৪০ লক্ষ উদ্বাস্তুর প্রায় সবাই পশ্চিমবঙ্গেই থেকে যাবে। এই সত্যটা পূর্বেই স্বীকার করায় Governorকে আন্তরিক ধন্যবাদ জানাচ্ছি। কারণ এই সত্যটা স্বীকার না করলে, পূর্ণ উদ্যমে উদ্বাস্তুদের পুনর্বাসনের কাজ আরম্ভ করা কঠিন। Governorএর addressএ বলা হয়েছে, এ পর্যন্ত ১১ লক্ষ উদ্বাস্তু পুনর্বাসনের কাজ গভর্ণমেণ্টের পক্ষ হতে শেষ করা হয়েছে। এ সম্বন্ধে আমার কিছু সন্দেহ আছে। পুরা পুনর্বাসনের কাজ শেষ হয়েছে বলে, আমার মনে হয় না। আরও বলা হয়েছে এই ব্যাপারে প্রায় ছয় কোটি টাকা খরচ হয়েছে। অবশ্য এই কাজের পক্ষে ৬ কোটি টাকা খুব বেশী নয়। কিন্তু ছয় কোটি টাকা যথাযথ রীতিতে ব্যয় করা হলে পুনর্বাসনের কাজটা আরও সুষ্ঠু হতো। Addressএ আরও বলা হয়েছে যে ছুতার, কামার, কুমার, জেলে প্রভৃতি যে সব উদ্বাস্তু এসেছে তাদের জন্য পশ্চিমবঙ্গের গ্রামে জায়গা আছে। কারণ এই সব কারীগরের পশ্চিমবঙ্গের গ্রামে অভাব আছে। কিন্তু প্রধান সমস্যা হচ্ছে, মধ্যবিত্ত লোকদের নিয়ে; আমার মনে হয়, এই কলকাতার চারপাশে যে সব খালি জমি পড়ে আছে, Governmentএর কর্তব্য সেই সমস্ত জমিতে মধ্যবিত্ত উদ্বাস্তু লোকদের বসানো। যদি প্রত্যেক পরিবারকে পাঁচ কাঠা জমি দেওয়া যায়, এবং সেই প্রতি পাঁচ কাঠায় উদ্বাস্তু পরিবারের মেয়েরা কাজ করেন তাতে শাকসব্জী অনায়াসে উৎপন্ন করিতে পারেন। তাতে তাঁদের নিজেদের শাকসব্জীর প্রয়োজন তো মিটবেই, অধিকন্তু কলকাতার জনসাধারণের শাকসব্জীর বর্তমান অভাব অনেকটা দূর হবে। এবং দুর্মূল্যতাও কমে যাবে। এইভাবে কলিকাতার আশে পাশে জমি নিয়ে কাজ করলে উদ্বাস্তু সমস্যার সমাধানও অনেকটা হতে পারে। এটা খুব ব্যয়সাধ্য ব্যাপারও হবে না।

অনেক উদ্বাস্তু জনসাধারণ ইতিমধ্যেই কলিকাতার আশেপাশে ঘর দুয়ার তৈরী করে বাস করছে। সেই সব উদ্বাস্তুদের উপনিবেশ গঠন সহজে হতে পারে গভর্ণমেণ্ট যদি এদিকে একটু সাহায্য করেন।

Addressএ বলা হয়েছে যে তিনটী Technical School বা কারীগরী বিদ্যালয় পশ্চিম বাঙ্গলায় নূতন স্থাপিত হয়েছে। কিন্তু আমার মতে ঘন বসতিপূর্ণ পশ্চিমবঙ্গের পক্ষে ইহা যথেষ্ট নয়, এই ধরণের আরও অনেক স্কুল খোলা উচিত। একটী কথা মনে রাখা উচিত যে এমন ধরণের শিক্ষা দিতে হবে যা নাকি ছাত্রদের ভবিষ্যৎ জীবনে কার্যকরী হয়। যে সকল ছাত্র উত্তীর্ণ হয়ে বেরুবে তারা যেন বর্তমান যে সমস্ত শিল্প প্রতিষ্ঠান ও কারখানা আছে সেখানে কাজ পায় এবং কাজের উপযোগী বলে বিবেচিত হয়। পশ্চিমবঙ্গে আরও কারখানা করা উচিত। চিত্তরঞ্জন কারখানার এবং State Busএর সংখ্যা বাড়িয়ে State Transportএ উদ্বাস্তুদের নিযুক্ত করলে কিছুটা সুবিধা হয়। এদিকে সরকারের দৃষ্টি আকর্ষণ করছি।

এই কলকাতা থেকে প্রতি বৎসর বহু জাহাজ দেশ-বিদেশে যায়। হাজার হাজার জাহাজী তাতে কাজ করে। পশ্চিমবঙ্গের উদ্বাস্তু যুবসম্প্রদায় যাতে জাহাজের কাজ শিখে নিয়ে সে পথে জীবিকার্জনে অগ্রসর হয় সেদিকে উৎসাহ দিবার জন্য গভর্ণমেণ্টের দৃষ্টি বিশেষভাবে আকর্ষণ করছি। আর একটা মনে রাখা দরকার যে, পূর্ববঙ্গের ঘরবাড়ী ছেড়ে পশ্চিমবঙ্গে যারা আসছে তাদের জন্য সম্পূর্ণ দায়ী গভর্ণমেণ্ট। সুতরাং পশ্চিম বাঙ্গালায় যারা এসে পড়েছে তাদের সঙ্গে Governmentএর উচিত সহানুভূতিপূর্ণ ব্যবহার করা। কিন্তু কিছুদিন পূর্বে ধুবুলিয়া campএ যে ঘটনা ঘটেছে তাহা অত্যন্ত বেদনাদায়ক। এ সম্বন্ধে আমি বিশেষ কিছু বলতে চাই না,

শিবনাথ বাবু এ সম্বন্ধে বিশেষভাবেই বলেছেন। তবে গভর্ণমেণ্টকে অনুরোধ করছি যেন এই ধরণের ঘটনা আর না ঘটে। এই সম্বন্ধে কেবল একটা departmental enquiry করলেই যথেষ্ট হবে না, একটা বে-সরকারী তদন্ত কমিটি গঠিত হলে ভাল হয়।

আর একটা কথা আমার আছে যে সমস্ত উদ্বাস্তু কলকাতার চারিদিকে জমি দখল করে বাড়ী ঘর করে আছে তাদের সেই সব জমি ও বাড়ী ঘর থেকে উৎখাতের চেষ্টা Government যেন না করেন। তা যদি করেন তবে ফল ভাল হবে না। Addressএ বলা হয়েছে পশ্চিমবঙ্গের খাদ্যাবস্থা ভাল করতে গেলে উৎপাদন বাড়ান দরকার। উৎপাদনের কাজে উৎসাহ দিবার জন্য চাষীদের জমির মালিকানা দেওয়া দরকার। তবে তারা উৎসাহ সহকারে চাষ করবে। গত বৎসর যখন বর্গাদার বিলটা পাশ হয় তখন আমি এ সম্বন্ধে বলেছিলাম যে এ বিলের ধারাতে এমন ব্যবস্থা করা হোক যাতে ভাগচাষীকে জমি থেকে উৎখাত করা চলবে না। এ সম্বন্ধে আমি গভর্ণমেণ্টকে অনুরোধ করছি এই আইনটা অচিরে তাঁরা এই মর্ম্মে যেন সংশোধন করেন। এ বিষয়ে কথা বলতে গেলে জমিদারী প্রথা বিলোপের কথা এসে পড়ে। আমাদের কংগ্রেসের নীতিই হচ্ছে জমিদারীপ্রথা বিলোপ করতে হবে। ভারতের অন্যান্য রাজ্য এ সম্বন্ধে অগ্রসর হয়েছেও কিন্তু আমাদের পশ্চিমবঙ্গ গভর্ণমেণ্ট আজ পর্য্যন্ত কিছু করেছেন বলে মনে হয় না। কিছুদিন আগে দেখেছিলাম সুন্দরবনের ওদিকে এই জমিদারীপ্রথা লোপ ও জমি দখলের ব্যবস্থা করতে গভর্ণমেণ্ট অগ্রসর হয়েছেন। এবং ঐ কাজে ক্ষতিপূরণ বাবদ নাকি গভর্ণমেণ্টের প্রায় ৫০০ কোটী টাকা খরচ হবে। যদি এক সুন্দরবনের জন্যই অতটা খরচ করতে হয় তবে সমস্ত পশ্চিম বাঙ্গালার জমিদারী দখল করতে গেলে গভর্ণমেণ্টের যতটা খরচ করতে হবে তা ভাবলে মনে হয় গভর্ণমেণ্টের দ্বারা জমিদারী প্রথা বিলোপ সম্ভব কখনও হবে না। তাই আবার মনে হয় জমিদারী প্রথা বিলোপের জন্য কাশ্মীরে শেখ আবদুল্লা যে ব্যবস্থা অবলম্বন করেছেন সেইভাবে একটা কিছু আমাদেরও অবলম্বন করতে হবে।

আর একটা সমস্যা, সহর এবং মফঃস্বলে সর্ব্বত্রই জিনিষপত্রের দুর্ম্মূল্যের দরুণ চোরাকারবারই দায়ী। আমরা জানি ঔষধপত্র অনেক সময় ঠিক জিনিষ চাইলে যখন পাওয়া যায় না তখন চোরাকারবারে সেটা খরিদ করা যায়। গভর্ণমেণ্ট বলছেন যে তাঁরা চোরাকারবার দমন করবার চেষ্টা করছেন কিন্তু আমরা দেখি যে কেবল চুনো-পুটিকে ধরা হয় কিন্তু যারা নাকি রাঘব বোয়াল তাদের কিছু করা হয় না। গভর্ণমেণ্ট বলেন আইনের বাধা আছে। কিন্তু যেগুলিতে আইনের বাধা নাই সেগুলো তো করতে পারেন। এইসব দেখে মনে হয় আইন শুধু গরীবের উপর প্রয়োগের জন্য, বড় লোকেরা আইনকে ফাঁকি দিয়েই চলে।

তারপরে শ্রমিক সমস্যা, ১৯৪৭ সালের শ্রমিক নীতি এই ছিল যে Works Committee মারফৎ মালিকপক্ষ সঙ্গে Labour কমিশনারের through দিয়ে বিরোধ মীমাংসার চেষ্টা করতে হবে। এবং তাতে মালিক শ্রমিক উভয়েই থাকবে। এই ব্যবস্থামত কাজ হলে মালিক শ্রমিক উভয়ের পক্ষে মঙ্গল হতো, কিন্তু পশ্চিম বাঙ্গলায় Works Committeeর এখনও পর্য্যন্ত বিশেষ কোন কাজ হয়নি। আমি যে নিয়ম করেছিলাম সে নিয়ম অনুসারে Works Committee হলে গত দুই বৎসরে প্রায় সমস্ত কারখানায়ই Works Committee স্থাপন হতো। কিন্তু এখন পর্য্যন্ত সেই Works Committee সকল কারখানায় স্থাপন সম্ভব হয়নি। যেখানে স্থাপিত হয়েছে সেখানেও গভর্ণমেণ্ট ও মালিকপক্ষ ঠিকমত কাজ করছেন না, ফলে Works Committeeর প্রতি শ্রমিকদের বিশ্বাস কমে এসেছে।

Labour Commissionerএর কথা এখানে যত কম বলা যায় ততই ভাল। তারপরে Tribunal—এই ট্রাইবুন্যাল পাওয়াটাও শ্রমিকদের পক্ষে খুব সহজ নয়। দুইশত পঞ্চাশটি লোকের ছাটাইয়ের বিরুদ্ধে আমরা একটা Tribunal পাওয়ার চেষ্টা করেছি কিন্তু আজ পর্য্যন্তও সে ট্রাইবন্যাল পাওয়া সম্ভব হয়নি।

তারপর ২৭শে সেপ্টেম্বরের হরতাল, B.P.T.U.C. শ্রমিকদের পক্ষ থেকে যে দাবীগুলি তোলা হয়েছিল সরকারের পক্ষ থেকে তার অনেকগুলিই মেনে নেওয়া হয়েছে। ফলে B.P.T.U.C. হরতাল প্রত্যাহার করে। B.P.T.U.C. আর হরতাল করবে না। আমি বাঙ্গলায় Tribunal করেছি। শুনতে পাচ্ছি ট্রাইবুন্যালে যত সংখ্যক বেঞ্চার ছিল তা কমিয়ে তিনে দাঁড় করান হচ্ছে, এত কম লোক দ্বারা এতগুলি মামলার বিচার সম্ভব নয়। কাজেই এই ট্রাইবুন্যালে আরও লোকসংখ্যা নিযুক্ত করা আবশ্যক। কয়লার খনিতে ও অন্যান্য কলকারখানার যে সমস্ত শ্রমিক সারাজীবন ধরে কাজ করে তাদের দুরবস্থার কথা আমরা সকলে জানি। আমাদের বাংলা দেশে তারা এ পর্য্যন্ত কোন কর্ম্মস্থান লাভ করতে পারেনি। শ্রমিকদের বাসস্থানের যে রকম অবস্থা সে কথা বলাই

অনাবশ্যক। ১৯৪৭ সালে গভর্ণমেণ্টের তরফ থেকে শ্রমিকদের জন্য গৃহ নির্মাণ ও অন্যান্য যে সকল প্রতিশ্রুতি দেওয়া হয়েছিল সেই অনুসারে কাজ এ পর্য্যন্ত হয় নাই। পশ্চিম বাংলা গভর্ণমেণ্ট আমাকে তাঁদের প্রতিনিধি হিসাবে কয়লার খনিতে পাঠান, আমি সেখানে দেখেছি, যে প্রতি টন কয়লার জন্য দুই আনা করে একটা cess আছে। ঠিক সেইরকম জুটকলসমূহেও একটা নির্দ্দিষ্ট পরিমান levy বসান উচিত। এই প্রস্তাব আমি জুট কলের মালিকদের কাছে করি, এবং তাতে তারা অনেকটা রাজীও হয়েছিল। কিন্তু আমার মন্ত্রিত্বের পর বিধি মন্ত্রী হয়েছেন. তিনি এ বিষয়ে কোন মনোযোগ দিয়েছেন বলে আমার মনে হয় না।

সকলের একথা জানা আছে যে কলিকাতার বুকে বস্তী একটা কলঙ্কস্বরূপ। কলিকাতার বস্তী আন্দোলনের ফলে গভর্ণমেণ্ট thika tenancy Act প্রণয়ন করেন। তার ফলে অবশ্য ঠিকা প্রজার অনেকটা লাভ হয়েছে, কিন্তু এখন পর্য্যন্ত পুরাপুরিভাবে বস্তীর মালিকদের অত্যাচার বন্ধ হয়নি। এ সম্বন্ধে গভর্ণমেণ্টের কাছে বহু পত্র লিখেছিলাম। আবার আমি এ সম্বন্ধে দৃষ্টি আকর্ষণ করছি, এবং অনুরোধ করছি যে এই ঠিকা প্রজ সম্বন্ধে যেন ভাল আইন করা হয়। তারপর আর একটা কথা বস্তী উন্নয়ন করা দরকার। এটা অবশ্য সহজ-সাধ্য কাজ নয়, অত্যন্ত দুরূহ কাজ, তবুও এ কাজ করতে হবে। যত শীঘ্র এ কাজ আরম্ভ করা যায় ততই শ্রেয়, এবং এ কাজ আরম্ভ করলেই লোকের আস্থা ও শ্রদ্ধা ফিরে আসবে। কিন্তু যোটেই এ বিষয় কিছু করা হচ্ছে না--এটা বড়ই দুঃখের বিষয়।

কিছুদিন হ'ল গভর্ণমেণ্ট কলিকাতা কর্পোরেশনের শাসন ব্যবস্থা নিজ হাতে নিয়েছেন এবং একজন Administrator নিযুক্ত করেছেন। পূর্ব্বে যখন ওয়ার্ড কাউন্সিলার ছিল তখন বিভিন্ন পল্লীর কাউন্সিলরের কাছে নিজেদের দুঃখ-দুর্দ্দশা ও অভাব-অভিযোগ সেখানকার অধিবাসীরা জানাতে পারত। কিন্তু এখন অভাব-অভিযোগ জানাতে এই Administratorএর কাছে যাওয়া সাধারণ লোকের পক্ষে দুরূহ ব্যাপার। তাই তাদের কথা কেউ শুনে না, এবং তাদের দুঃখ-দুর্দ্দশার কোন প্রতিকার হয় না। সেখানে ঘুষের রাজত্ব চলেছে কেউ যদি কারও নামে কিছু অভিযোগ করে তাহ'লে তার চাকরী যায়। আমি গভর্ণমেণ্টকে অনুরোধ করছি সত্বর কলিকাতা কর্পোরেশনের নির্ব্বাচন ব্যবস্থা করা হোক। বারে বারে এ বিষয় উত্থাপন করা কলঙ্কের কথা। সেইরকম মালদহ, নদীয়া, ২৪-পরগণা প্রভৃতি বিভিন্ন জেলা বোর্ডে গত তিন বছরের মধ্যে নির্বাচন অনুষ্ঠানের ব্যবস্থা করা সম্ভব হ'ল না, একথা মোটেই বিশ্বাসযোগ্য নয়। আমি পুনরায় গভর্ণমেণ্টকে অনুরোধ করছি এই সমস্ত জেলা বোর্ডে যত শীঘ্র সম্ভব নির্বাচনের ব্যবস্থা করা হোক।

Janab MAHAMMAD SAYEED MIA: Mr Speaker, Sir, His Excellency the Governor of West Bengal delivered a very excellent speech in the Assembly House on Monday last and dealt briefly with all burning questions of the day including the most vital one, viz., the refugee problem. But I regret to say that he had made no mention of the difficulties and harassment which the Muslim refugees are undergoing due to the delay in the due implementation of the Delhi Agreement with regard to their speedy rehabilitation and restoration of their houses and lands and properties which they left behind during the extremely abnormal period of the last communal disturbance. In spite of their utmost efforts the Muslim refugee workers have not got back their jobs in the industrial areas. Many Muslim villagers came back after a few days with their families to their villages but they were not allowed to enter their houses and after staying for some time under the trees or in the houses of their relatives in the distant villages they had to go away for unkown destination. Hundreds of applications have since been filed by them, and many a time they approached the district authorities, but they have not been restored to their houses and lands. The season for cultivating the rabi crops, boro paddy and other crops is fast approaching and they have again applied to the district authorities to return to them their houses and lands, and if no action is taken immediately to rehabilitate them the whole cultivable area will be lying fallow and barren making their situation more deplorable and the existing food problem more acute and critical.

It is most regrettable and unfortunate that the failure of the local authorities to tackle carefully the situation created by the influx of East

Bengal refugees and to handle them tactfully has caused the Muslim minority to undergo untold miseries and sufferings. Even after the Delhi agreement reports have been received that in some places the lands and houses of the Muslim villagers have been forcibly taken possession and their paddy and jute cut away by the unruly and unchecked section of the East Bengal refugees.

Sir, the refugee rehabilitation problem concerns the life and death of the millions and requires immediate and urgent solution.

Sj. SATISH CHANDRA ROY SINGH SARKER: Mr. Speaker, Sir, at the very outset let me thank His Excellency for his excellent speech of the 25th September last delivered in this House. He has kindly referred to the calamities of Assam. This morning brought a vivid description of the devastation of the earthquake from the mouth of His Excellency the Governor of Assam, and thinking of Assam's afflictions in these days, none can remain unmoved on the afflictions that befell the people of Assam. His Excellency has earned our thanks by timely referring to the calamities at the very outset of his speech and has given expression to his sincere thought and words of warm sympathy for this afflicted humanity in most touching words. He said "we are bound to our brethren of Assam by near ties of blood and long-standing close association and whatever affects them touches us deeply. We share their joys and sorrows". He has not only expressed himself but really he has expressed the very hearts of ours too. We thank him for this. He has invited our assistance in men, money and material. We assure him that these will not be wanting.

Out of 12 pages of his address His Excellency has taken 6 pages to deal with the refugee problems and their rehabilitation, their monetary help, their education and medical help and has troubled to give certain statistical figures. This refugee rehabilitation problem is uppermost in his mind as in ours and he has tried to focus the activities of his Government in the solution of these burning problems of the day, and we thank him for this. His statement shows how his Government are struggling their utmost for the rehabilitation of the refugees and have exhausted all State khas lands in settling the refugees. Even some private land had been acquired for the purpose. Now they call upon the Union Board to help them. But will that be much? Out of 40 lakh refugees only 11 lakhs have been rehabilitated. In the language of His Excellency "there are still many waiting in great distress to have opportunity of settling themselves in West Bengal". What can be done now? My humble suggestion would be: Government have got vast area of forest land. Some of these forest areas may easily be settled with the refugees. For example in Jalpaiguri Lataguri forests stand on very nice plane in the middle of villages. This area may be turned arable and settled with the refugees. Attention of the Hon'ble Minister-in-charge of the Forest Department may be drawn to the possibility of releasing the forest for human habitation. His wolves and hyanas earn nothing for him. There is a further possibility of rehabilitation of the refugees in tea garden areas. Vast pieces of large area of land are lying fallow. I don't know if these are private lands and if Government can settle these lands with the refugees.

His Excellency has drawn our attention to the present food situation. He is distressed but we are more. We are in the grip of acute starvation. We in Cooch Behar are facing acute starvation. Rice is selling at Rs. 50 to Rs. 55 per maund. Paddy is not coming to the market. If it comes at all, the quantity is very small and the price is as high as Rs. 28 per maund. Our Food Minister whom I thank for his recent activities, has kindly raised the rate of rationing and also arranged to supply paddy in the mafassal at

the rate of 2 seers per head per week, but this has not earned the desired result. The price fell by Rs. 2 per maund for a week, but it again soared up to Rs. 28 per maund. There is reason for this. About 30,000 Muslim evacuees returned to this land—starving and ill-nourished. This brought fresh pressure upon the already short granery of the Government. It is most unfortunate that at the very beginning of merger of Cooch Behar in West Bengal, the people had to face this acute scarcity for no fault of theirs. Cooch Behar was self-sufficient in food. I would appeal to Government to send immediate supply of foodgrains and rescue the struggling humanity.

The refugee problem there too is not very hopeful. About two-thirds of the refugees that are settled there are agriculturists. It is a pity that those distressed people were not supplied with plough cattle in time and they could not cultivate the land. Many of them due to frustration and disappointment have gone back to their home land in Pakistan. I appeal to Government to give all possible help to them.

I now come to the border disturbances. There have been many border disturbances. Very recently in Cooch Behar east border the Pakistani mob attended with a body of armed force crossed the border of the State and raided the adjoining village. Three valuable Hindu refugee lives were lost. Our border guard and police could not render any help though they were posted at a very short distance. And for what reason? One reason that can be ascribed is the want of good communication roads. They could not move for want of boundary roads. Each night the Pakistanis are stealing away cattle from the border. People have become panicky and are vacating the border lands. Unless new communicating roads are constructed immediately and the existing roads are thoroughly repaired the situation will soon go out of hand. I would therefore humbly pray for immediate construction of boundary roads to save the poor villagers on the border line.

I shall now refer to His Excellency's observations regarding the activities of the Anti-corruption and Enforcement Branch to check blackmarketing and profiteering. Sir, this has raised an unpleasant topic in this House. We who are in direct touch with the local situation know fully well that the activities of these departments are feverish. Official connivance at petty crimes often encourages the wrong—doers. Sir, His Excellency has invited public co-operation. The public will surely co-operate. It is no use denying the fact that none dare to come out and point out the capitalist blackmarketeer for fear of future harassment and molestation. They want protection and also encouragement from Government. But whatever measure we may take, any measure short of a drastic step on the part of the Government may not be effective. A scheme of purging out of officers suspected of corruption may have a desired moral effect on the officers. We should like to see that Government is not sitting idle in this matter.

Mr. Speaker, I shall be failing in my duty if I do not bring to the notice of the Government some facts that are creating dissatisfaction amongst our officers and clerks in Cooch Behar. In January last when the Hon'ble the Chief Minister visited Cooch Behar on the happy event of the merger of the State he was glad to declare in the public meeting in his memorable address that all State employees would be absorbed into Government services as early as possible but it is the ninth month passing since that declaration. The clerks anxiously waited but in vain. The officers going there from West Bengal drew better and higher pay. It is not unnatural that the former officers should have heart-burning. I would ask our Chief Minister to consider the possibility of early absorption of those officers.

Sir, human capacities are all limited. So also His Excellency's are. His statement relating to the financial position reveals his difficulties

regarding the development projects and schemes and policies involving financial liabilities. His statement is very true and requires no comment. It is useless to demand for schemes of development when our exchequer threatens us with blank cheques.

Mr. J. R. WALKER: Mr. Speaker, Sir, in rising to support the motion before the House on behalf of my colleague and myself, I congratulate His Excellency the Governor on his concise and able review of the State's activities since he last addressed this Assembly. We have been deeply impressed by the prompt manner in which his Government has responded to the many and difficult problems, natural and otherwise, which they had to face and we are confident that steps taken will be to the long-standing credit of the State.

Sir, I have had personal experience of the beneficial effects of the Delhi Pact. I saw the position in East Bengal when the trouble broke out and as Chairman of the Indian Jute Mills Association I saw the terrible effect it had in the industry when the trouble took place. Members of this House will remember that starting around Chandernagore the trouble spread to jute mills on both sides of the river and came right down to Howrah. The position in the State today is very much better and gradually and surely confidence is being restored amongst the workers and they are working happily together. It is not often that I agree with the Hon'ble the Labour Minister, but I would take this opportunity of paying a tribute to him for the efforts he made by going amongst workers during the trouble in an effort to stem the tide and to get them to return to their work. I hope now we will be able to carry on and there will be no further trouble amongst jute mill workers. It has been said by a certain member of this House that the Indian Jute Mills Association members are not honouring the pact which was made and laid down by the Tribunal award. I can categorically say that we have rigidly obeyed the Tribunal award and carried it out in every possible way we could. But if any member can bring to my notice that we have failed I would like to know it and I would see that the matter is set right. The position I can tell the members of the House was that when the trouble took place 22 thousand Muslims left the jute mills, particularly in and around Chandernagore area on both sides of the river. The position at the end of June was that nine thousand were put back to work and the position now is that 12 thousand are back to their jobs. Those who could not be placed permanently have been given *badli* jobs, for it must be remembered that when they were away, there were other people looking for work and because they had knowledge and experience in the Jute industry we could not and we cannot allow the industry to be at a standstill. But I can assure the House that every man entitled to a gratuity who has left has been paid his dues. If any man has not been paid, I would certainly see that he gets it.

Sir, it is essential that this country becomes self-sufficient in jute. It is essential for her well-being to do so as soon as possible. But I was distressed to hear that two lakh acres had to be transferred from paddy to jute. If we go back to previous years we will find that last year we produced in the whole of India 31 lakhs of bales and by improving the outturn we could have brought it to 50 lakh bales and we would not have found it necessary to transfer land from paddy. That is the problem which faces not only the Government of India but faces us all. My idea is to improve the output per acre so that this country will become self-sufficient and would not be drawing on our reserve for rice production

Sir, I was very pleased indeed to see that the communications are being improved because there is no use of asking the cultivators to grow more jute

unless they are in a position to bring that jute rapidly to the market. If they are not in a position to bring that jute rapidly to the market, the poor man must sell his jute and he is at the mercy of the middle man and, therefore, the fact that this Government has seen to it to improve the communications is to their credit and will do much not only to improve the position of the cultivator but also the position of jute on which this whole province depends.

Sir, an attack—I say because of the privilege of the House—was made on me yesterday and it was stated that I had made one crore of rupees as a servant of the Government as I am now in an honorary capacity. If it can be proved that I have made one anna in my capacity or betrayed my trust to this country or to the Government of Bengal, then I must go out in disgrace. Sir, I can assure this House that I have served this province and will continue to serve it to the best of my ability as long as I am here and that anything that this country asks me to do will be done with the greatest of pleasure. Sir, I would ask the honourable member to place all the facts before me on which he said that I have made money when I am doing my best to serve the country at a very, very difficult time indeed. The Government must know the difficult time we are all passing through and I am very much distressed that any member should say anything against my character and take the privilege of this House in doing so.

Sir, I have much pleasure in supporting the motion

Sj. SIBNATH BANERJEE: Name the member:

Mr. J. R. WALKER: Yourself.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, on a point of personal explanation. I am sorry that Mr. Walker was not here when I spoke.

Mr. J. R. WALKER: I was here. I was sitting here when you said that.

Sj. SIBNATH BANERJEE: Either you have forgotten or I have forgotten English because the records are there. I did not say that. I only said that the Jute Mills Association has deprived the jute mill workers of a crore of rupees. There was no question of money going into Mr. Walker's pocket out of the profit. How much of the profit will go to Mr. Walker I do not know, but the Jute Mills Association deprived the jute mill workers to the tune of Rs. 1 crore—that is what I said yesterday and I repeat it today and many of the workers I am glad of the assurance—

Mr. SPEAKER: You are on a point of personal explanation only.

Sj. SIBNATH BANERJEE: I did not say that Mr. Walker has made money out of the jute business or anywhere else.

Mr. SPEAKER: Then that is enough.

Sj. SIBNATH BANERJEE: I would like to add a little more. Today if he makes his position that those who did not get gratuity, he will see that they get gratuity, then perhaps it will not be Rs. 1 crore but it will be Rs. 80 lakhs.

Sj. BASANTLAL MURARKA: Speaker Mahadaey! Mananeo Perdesh Pal ney jo sunder bhashan diya hai, main uska redhai say samarthan kerta hoon. Saathi hamari Sarkar ko dhanabad deta hoon jenhon ney achha kam keya hai. Aur bhi dhanabad deta agar yeh sarkar hamari pranth men Bangla bhasha ka parchar kerti. Aj dekha jata hai ke sub kar-rawaie Angrezi bhasha men hoie. Rashtrabhasha ke perchar ke bhi abashakta hai.

Manapeo Siksha Sacheep ney Rashtrabhasha kó chati class tak anibarj ker diya hai, is say santosh naheen hota hai. Matric tak Rashtrabhasha anibarj kerdena chaheay. Jabtak Matrik tak na kerdiya jaiga Rashtrabhasha adhura rahjaega. Yeh jo Refugee bhai hain, sarnathibhai hain jo doosrey doosrey parath men bhejey gaey they, basaney ke leay, wah bhasha ke karan wapes chaley aey, phirat-chaley aey, ager Rashtrabhasha sikhey hotey to wah phirat naheen atey. Bhasha ke takleef ke karan wah phirat aey. Bengal men rahker hamarey Perdesh Pal Angrezi men baktrita kertey hain, hamarey Perdhan Mantri bhi Angrezi men baktrita kertey hain. Doosrey doosrey Assembly ke Sadasho bhi Angrezi men boltey hain. Jahan dekho, Writers' Building men, High Court men, Corporation men her jagah Angrezi me kam hota hai. Yeh deks ker ek kahawat yad ati hai, ke bander to chala giya magar uski pon rahgaie. British raj to Bengal men naheen hai mager Angrezi bhasha Bengal men maujood hai. Jab key yeh hamari Sarkar hai, men asha kerta hoon ke hamarey Perdhan Mantri is taraf dhiyan dengey.

Doosri bat yeh kahna hai, hamarey manober Walker Saheb ke doara aur unkey through sey Central Government ko, ke jute aur hessian per say control uthalia jai. Is control ke karan kala bazari hota hai, aur hamarey Bengal ka bohut sa dhan America chala jata hai, aur yeh sub chezen jab America men jaker khapti hain to pher control bebasta say Sarker ko tax men hani hoti hai, aur kala bazari say Sarker ko badnami hoti hai. Hamarey miter Sheo Kumar Rai ney kaha hai, ke jo chor bazari kertey hain, adhik nafa kertey hain, unko pakar ker bet lagatey huay, naheen dekha. Leken wah 700 ft. Darjeeling pahar per baetker naheen dekhtey hain, parantu ham ney dekha hai jo beopari pakrey gaey, kaprey ke beopari, shaker ke beopari, namak key beopari, tatha dawa ke bechneyawala paqrey gaey hain. Unko Police hajat men rakha. 1905 ka bana hua hajat. Unko an and jal naheen mela, unko jail deya giya. Men bhi Sarkar ka Sahanbhuti kerta hoon. Aey sey samaj berodhian ka aisa hi hal hona chaheay. Unhon ney chora bazari ki thi, Sarkar ney theek kiya. Pher bhi hamarey bhai kahtey hain ke kuch naheen hota hai. Mussulman bhaieon ko bolna chahta hoon ke jab Purbi aur Pachami Bengal ka jhagra hua to Pachami Bangal ke Sarkar ney ap logan ko bachaney ka pura bandobast kiya. Pachami Bengal ke Sarkar ney apko puri sahaita di, apki raksha ki gaie. Is per bhi ap log Sarkar ka samalochana kertey hain. Sarkar ney aisa kam kiya jes say hamarey Pardhan Mantri aj lokperio hogaey hain. Unhon ney Mussalmanon ko bachaya aur Purbi Bengalsay aneywaley Hinduon ko basaya. Agar Pakistan ke sima men in sarnatheon ko basaya jai to chawl and jute ke adhik kheti ho sekti hai. Ap yeh sab kam men sahyog karen. Sarkar dhan kharach kerti hai parantu dhan karach karney sey naheen chalta janta ka sahyog hona chaheay. Janta ke sahyog bena koje kam naheen hosakta hai. Janta ke sakti bari sakti hai. Yahan to yeh hal hai ke Sarkar ka jo bhi berodi hota hai wah sarnatheon ke sahanbhuti men do ansu bahata hai. Dehli men ek settji aey they, uphon ney kaha ke Sarkar ney sahyog naheen kiya. Jabtak janta ka sahyog naheen hoga kuch naheen hoga. Anth men, ham Sarkar ko apna kartab palan kerwey ke liey badhie detey hain.

Janab MUHAMMAD IDRIS: Mr. Speaker, Sir, while thanking His Excellency the Governor for the speech he delivered to this House on 25th September 1950 I cannot but regret that a very important item, namely, the deplorable conditions and the difficulties of the displaced and uprooted Muslims, has been omitted in the speech. What is more regrettable is this that instead of mentioning these difficulties or suggesting policies to be followed or devising means and ways to do away with these difficulties of the displaced Muslims, it has been mentioned in the speech that the

Government has been able to create a condition in which the returning Muslim migrants are being restored to their former life. Sir, I am sorry, I cannot agree to this observation made in the speech, for far less of their being restored to former life, in many cases they are not even in a position to lead a most ordinary and least possible normal life. And how they can have their former life? For we find still hundreds of them are bewildered and perplexed with the problem of housing—the problem of accommodation while before their very nose they find their houses are still forcibly occupied by the East Bengal refugees while many others of them find no trace or sign of their hearth and home which have completely been demolished, destroyed or gutted—for we find thousands of them are confounded with food problem and are practically starving to death while their paddy lands and corn fields are under the possession of illegal occupants while many more of them are severely faced with unemployment problem while their jobs and occupations are taken away by others either by forcibly occupying their business places and shops or by filling up their vacancies by others in factories and workshops.

Yet it is true that the Government is not sitting absolutely idle to help these displaced Muslims. But the actions that they are taking and the policy they are following are surely not sufficient to cope with the situation. Particularly in my Constituency, I mean Howrah district, I can say that though considerable number of Muslim migrants have come back from East Bengal yet they as well as others who did not migrate to East Bengal but being driven out of their houses shifted to some safer villages within the district are now confronted with many difficulties. In rural Howrah, Amta thana and Bally thana are worst affected areas. In Amta thana many migrants have come back to the villages on the western bank of Damodar, namely, Joypur, Khalna, Tulsiberia, Sonatola, Tholia, etc., and in the villages of Deora Gazipur under Fathepur on eastern bank of Damodar and somewhat settling with comparatively less trouble. But in the main and worst affected area in Amta thana I mean, Basantapur Ghoradaha, Penro, Harispur, Mato Khoshalpur, Kanupat and the adjoining villages very few displaced and uprooted Muslims have been restored to their original houses in their former villages. In these areas most of the Muslim houses were completely or partly destroyed or burnt and gutted and the Muslim villagers took shelter in Munshirhat and Jalalshi in concentration camps or in Muslim houses thereof and some of them also migrated to East Bengal. Now many of them are eagerly waiting to go back to their original houses. But alas, how they can go or where they will reside as their houses were destroyed during the riot. The maximum relief grant per displaced Muslim family is only Rs. 200. May I ask the Government how it is possible for these unfortunate displaced Muslims to rebuild and repair their houses with this little amount of Rs. 60, Rs. 70 or say Rs. 100 or Rs. 200 at best while the loss per family exceeds hundreds or thousands of rupees. I ask the Government to seriously think over this and at once chalk out some policy to rebuild or repair their houses at Government's own plan and expenditure.

I humbly request the Hon'ble the Chief Minister to visit Basantapur area which is only 20 miles away from Calcutta and to gather personal knowledge and first-hand information about the destruction and havoc created there in the last week of March 1950 and personally acquaint himself with the miseries and difficulties of the affected Muslims. The other day the Hon'ble Dr. R. Ahmed went to Munshirhat but unfortunately he did not go to Basantapur, the main place of occurrence which is only about three miles from Munshirhat. It is more regrettable that neither the minority Ministers Mr. C. C. Biswas and Dr. Malek nor the Enquiry Commission (with the exception of Mr. Azizul Haque who alone paid a visit to

Basantapur area) visited Basantapur area which is perhaps the worst affected area in the entire rural area of West Bengal, and I hold that the report of the Enquiry Commission cannot be complete without a visit of the Enquiry Commission to this particular Basantapur area. Then so far as Bally thana's rural area is concerned the villages Eksora, Lillooah, Chowpara, Bamungachi, Belgachia, Nischintapur, etc., were the worst affected areas and out of these villages only in village Eksora some uprooted Muslims have been rehabilitated. In Eksora some 45 out of 160 Muslim houses have been returned so far to their original Muslim owners and the rest are still under the possession of East Bengal refugees. The district authorities have visited this village and are trying to restore the remaining uprooted Muslims in their original houses but unfortunately they have not been successful yet. Another neighbouring thana Jagacha was also affected to some extent and no Muslims have been restored to their houses in village Biridengi in this thana.

In Howrah urban area also very few Muslims have been rehabilitated or restored to their original houses, for instance Panchanontala, Sadar Bakshi Lane, Beniapara, Sibpore area, Pilkhana area and Lillooah area may be mentioned. The other day the district authorities asked the East Bengal refugees to vacate the Muslim houses which they have forcibly been occupying in Sadar Bakshi Lane area but on the following day the East Bengal refugees made a demonstration at Howrah protesting against the order of the district authorities and unfortunately the problem is not yet solved. Sir, whatever might have been the attitude of the police and some officials before the Delhi Pact, now it is quite clear that their minds are changed to a very considerable extent. Thanks to Providence the Delhi Pact has not only stopped mass assault and violence and made the movement and living of Muslims easy, the Pact has created an atmosphere in which most of the officials and majority of the Hindus are found sympathetic towards their Muslim neighbours. Sir, I think there is not a single Muslim who is not grateful to the Hon'ble Pandit Jawaharlal Nehru and thank him from the very core of his heart for his famous Delhi Pact which has sufficiently restored sense of confidence in their minds. The Pact is really something like blessings from above. Further, we are grateful to him for the bold and courageous stand he took in the last Nasik session of the Congress. The last Nasik session of the Congress has dispelled all sorts of misgivings, and let us hope its non-communal stand would be followed in letter and spirit.

SJ. KHAGENDRA NATH DAS GUPTA : মাননীয় স্পীকার মহোদয়, মাননীয় রাজ্যপাল মহাশয় আমাদের পরিষদকক্ষে যে সুন্দর ভাষণ দিয়াছেন এবং সেই ভাষণের জন্য ধন্যবাদ জ্ঞাপন করে যে প্রস্তাব উত্থাপিত হয়েছে আমি তাহা সম্পূর্ণ সমর্থন করি।

মাননীয় রাজ্যপাল মহাশয় তাঁহার ভাষণে বাংলার প্রায় সকল burning problems—মুখ্য সমস্যার—উল্লেখ করে আমাদেরও আলোচনা করবার যে মহা সুযোগ দিয়েছেন তারজন্য তাঁকে আমি ধন্যবাদ জ্ঞাপন করছি।

পশ্চিম বাংলার সামনে আজকে সবচেয়ে বড় এবং কঠিন সমস্যা হয়ে দাঁড়িয়েছে বাস্তুহারাদের পুনর্বাসনের সমস্যা। মাননীয় রাজ্যপাল মহাশয়ের ভাষণে এই সমস্যাই সর্বপ্রথম এবং প্রধান স্থান অধিকার করেছে। আমাদের পশ্চিম বাংলা সরকার এই পুনর্বাসন সমস্যা সমাধানকল্পে, অত্যন্ত প্রতিকূল অবস্থার ভিতরও যা করেছেন তারজন্য তাঁরা ধন্যবাদার্হ, সে বিষয় সন্দেহ নাই। তাঁদের কাজ যে খুব সুন্দর হয়েছে তা একদিক দিয়ে বলা চলে; কিন্তু তা সত্ত্বেও আমরা শুধু পশ্চিম বাংলা সরকারের প্রশংসা করে গেলেই আমাদের কর্তব্য সম্পূর্ণ হবে না। আমাদের সাথে সাথে গঠনমূলক সমালোচনাও করবার প্রয়োজন আছে।

পশ্চিম বাংলা সরকার যত টাকা বাস্তুহারাদের পুনর্বাসন সম্পর্কে খরচ করেছেন বলে দেখিয়েছেন, এই টাকা অঙ্কের দিক দিয়ে মোটা হলেও প্রয়োজনের তুলনায় অতি নগণ্য। অবশ্য একথা সত্যি যে, এই অর্থ ভারত

সরকারের দেয়, এবং এই সমস্যা সর্ব্বভারতীয় সমস্যা। ভারত সরকার পুনর্বাসনের জন্য যে টাকা দেবে সেই টাকার উপর নির্ভর করে পশ্চিম বাংলা সরকারকে পুনর্বাসন কাজে অগ্রসর হতে হচ্ছে। পশ্চিম বঙ্গ সরকার দেখিয়েছেন যে, প্রায় ১১ লক্ষ বাস্তুহারাদের এ পর্য্যন্ত পুনর্বাসন করতে পেরেছেন। প্রায় ৪০ লক্ষ বাস্তুহারা আমাদের পশ্চিমবঙ্গে এসে আশ্রয় গ্রহণ করেছে এটা আমরা হিসাবে দেখতে পাচ্ছি। এই $\frac{১}{৪}$ অংশ যদি তাঁরা পুনর্বাসন করতে সক্ষম হয়ে থাকেন, সেটা খুবই প্রশংসার কথা সন্দেহ নাই; কিন্তু আমাদের মনে সন্দেহ জাগে যে, টাকা হয়ত সরকার বাস্তুহারাদের দিয়েছেন কিন্তু মাথা পিছু সামান্য টাকা দিলেই যে সঙ্গে সঙ্গে পুনর্বাসন হয়ে গেল এটা আমি মনে করতে পারি না। আমি দেখেছি অনেক পরিবারকে ৫০০ টাকা ঋণ দান করা হয়েছে তাদের ব্যবসা-বাণিজ্য করে খাওয়ার জন্য। আজকের দিনে এই পাঁচশ' টাকা মূলধন সম্বল করে একটা পরিবারের গ্রাসাচ্ছাদনের ব্যবস্থা করা যায় না। ৬ কোটী টাকা পশ্চিম বাংলা সরকার খরচ করেছেন দেখিয়েছেন। এই ৬ কোটী টাকা ব্যয় হয়েছে গত তিন মাসে, কি তিন বছরে তার স্পষ্ট উল্লেখ মাননীয় রাজ্যপাল মহাশয়ের ভাষণে নাই। ৩০শে জুন পর্য্যন্ত এই ছয় কোটী টাকা খরচ হয়েছে, সেটা কি বর্ত্তমান আর্থিক বৎসরে না তিন বৎসরের ভিতর, না এই বছরের গত তিন মাসের ভিতর, আমি ঠিক বুঝতে পারছি না। যদি ধরে নিই গত ১৫ মাসের ভিতর এই ছয় কোটী টাকা খরচ হয়েছে, তাহলে ১১ লক্ষ লোকের যে পুনর্বাসনের বন্দোবস্ত হয়েছে তার মধ্যে ধরে নেওয়া যায়, যে অন্ততঃ ছয় লক্ষ লোকের পুনর্বাসনের ব্যবস্থা এই সময় মধ্যে হয়েছে। কেন না যত কিছু পুনর্বাসনের ব্যবস্থা, অধিকাংশই এই ১৫ মাসের ভিতরই হয়েছে। যদি ছয় লক্ষ বাস্তুহারাদের জন্য ছয় কোটী টাকা খরচ হয়ে থাকে তাহলে জনপ্রতি বাস্তুহারা পিছু ভারত সরকার খরচ করেছেন মাত্র ১০০ টাকা। জানিনা এই ১০০ টাকার ভিতর পুনর্বাসনের সব খরচ ধরা হয়েছে কি না। যদি বিভাগীয় establishment খরচা প্রভৃতি বাদ দেওয়াও যায় তাহলেও জনপ্রতি মাত্র এই ১০০ টাকা খরচ করে সরকার লক্ষ লক্ষ উদ্বাস্তুর পুনর্বসতি করে দিয়েছেন এটা বলা অত্যুক্তি হয়ে পড়ে। আমি দেখেছি এবং আমার নিজ অভিজ্ঞতা থেকে বলছি অনেক জেলায় পুনর্বাসনের নামে সরকার থেকে যে ঋণ দেওয়া হয়েছে সেই ঋণের টাকা মূলধন করে উদ্বাস্তুগণকে ব্যবসা করতে গিয়ে তিন, চার, ছয় মাসের ভিতর সেই টাকা খেয়ে সাবা করে, হয় ভিক্ষা বৃত্তি আর না হয় অন্য কোন বৃত্তি অবলম্বন করতে হয়েছে। যে সব জায়গায় বাস্তুহারাদের অধিক আগমন হয়েছে সেই সমস্ত জায়গায় lawlessness ও বেড়ে গিয়েছে—সে খবর সরকার সম্ভবতঃ রাখেন।

"অধিক ফসল ফলাও" নিয়ে সরকার অনেক হৈ চৈ করছেন। এরজন্য বহু টাকাও তাঁরা খরচ করে থাকেন। কিন্তু এই বাস্তুহারাদের পুনর্বাসন-ব্যবস্থা ভাল করে না হওয়ার ফলে যে অধিক শস্য আমাদের দেশে হ'তো, তা হওয়ার কথা দূরে থাকুক, যে শস্য স্বাভাবিকভাবে হবে তাতেও বাঁধার সৃষ্টি হয়েছে। আমি অভিজ্ঞতা থেকে বলতে পারি—অনেক জেলায় এমন হয়েছে বাড়ীর বাগানে সামান্য কুমড়ো কি লাউ কিংবা লঙ্কা কোনটাই রাখবার উপায় নাই। মাঠ থেকেও অনেক দ্রব্য রাত্রে চুরি হয়ে গেছে। তার ফলে চাষীদের জমি আবাদ করবার স্পৃহা যাচ্ছে কমে। এই অবস্থা দেশের পক্ষে অত্যন্ত অনিষ্টকর। যাঁরা বাস্তুহারা এসেছেন তাঁদের যদি সুষ্ঠুভাবে পুনর্বাসন করতে না পারি, তবে আমরা তাদেরকে যে শুধু বিপদের মুখে ঠেলে দিচ্ছি, তা নয়—এদেশের যারা স্থায়ী অধিবাসী তাদের অবস্থাও খুব বিপদাপন্ন করে তুলছি। এজন্য সবচেয়ে বড় প্রয়োজন হয়ে পড়েছে যাঁরা এখানে এসেছেন, তাঁদের ভালভাবে পুনর্বাসনের ব্যবস্থা করা। এই যে অর্থ ব্যয় হচ্ছে আমি মনে করি প্রয়োজনের তুলনায় এটা অত্যন্ত নগণ্য। ভারত সরকার নাকি টাকা দিচ্ছেন না, টাকা আমরা পাচ্ছি না। ভারত সরকার বলতে পারেন আমাদের দরিদ্র দেশের সরকারও দরিদ্র। তবু যে কোটী কোটী টাকা তাঁরা খরচ করছেন, এটা এই দরিদ্র সরকারের পক্ষে অত্যন্ত অধিক।

আমি মনে করি where there is a will, there is a way; যদি সরকার মনে করেন পুনর্বাসন ভালভাবে করতে হবে—সে টাকা আসবে এবং সে আসবার উপায়ও আছে। অন্যান্য দেশে আমেরিকা, ইংল্যাণ্ড প্রভৃতি দেশে Death duty বসান হয়েছে। এতে একদিকে সরকারের আয় বৃদ্ধির সম্ভাবনা হয়েছে এবং অপর দিকে দেশেরও অন্যভাবে মহোপকার করা হয়েছে। এই আইনের বলে ধনিক যারা প্রচুর টাকা জমিয়েছেন তাদের মরবার আগে টাকা দান করবার প্রবৃত্তি দেখা দেয়। আমেরিকায় দেখা যায় বড় বড় ধনিকদের দানের উপর বড় বড় প্রতিষ্ঠান, বিশ্ববিদ্যালয় প্রভৃতি গড়ে উঠেছে। এই যে দানের স্পৃহা এটা এমনিই আসেনি, সরকার মরবার পরে তাঁর অধিকাংশ জমান টাকা বাজেয়াপ্ত করে নেবে, এই ভয়েই সেটা আসে। এই Death duty আমাদের দেশেও চালু করা উচিৎ। আমাদের দেশে অনেক টাকা নানাভাবে পড়ে আছে; সেগুলিও

সরকার সংগ্রহ করতে পারেন। অনেক দেবোত্তর স্থানে বহু টাকা বছরের পর বছর জমছে। এর হিসেব যদি সরকার নেন, সেই টাকার অঙ্ক যে খুব মোটা হবে এ বিষয়ে কোন সন্দেহ নাই। দরিদ্রনারায়ণের সেবায় এই টাকা অন্ততঃ ঋণ স্বরূপ গ্রহণ করে সরকার কাজে লাগাতে পারেন। এদেশে অফিসিয়াল ট্রাষ্টীদের হাতেও বহু কোটী টাকা পড়ে আছে। এ টাকাও, প্রয়োজন হ'লে, আইন প্রণয়ন করে সরকার ঋণ স্বরূপ গ্রহণ করতে পারেন। ব্যাঙ্কে ব্যাঙ্কেও বহু টাকা পড়ে আছে, তার legal heirs নাই। এ টাকাও নেবার জন্য গভর্ণমেণ্ট চাপ দিতে পারেন।

আমি আগেই বলেছি যদি ইচ্ছা থাকে অর্থের অভাব আমাদের দেশে হবে না। প্রয়োজন হয়ে পড়েছে শুধু এই ইচ্ছার এবং ভারত সরকারকে প্রয়োজনীয় চাপ দেওয়া।

আর একটা কথা আমি মাননীয় প্রধান মন্ত্রীমহাশয়ের সামনে তুলবো। আমরা শুনেছিলাম ভারত সরকার যখন উদ্বাস্তুদের পুনর্বাসনের জন্য পশ্চিমবঙ্গ সরকারের হাতে টাকা তুলে দেন, তখন এই নির্দেশ ছিল যে পুনর্বাসনের খরচ যতদূর সম্ভব যেন কো-অপারেটিভ্ মারফৎ হয়। কিন্তু অত্যন্ত দুঃখের সঙ্গে দেখতে পাচ্ছি যে কো-অপারেটিভ্ মারফৎ পুনর্বাসনের কোন ব্যবস্থাই পশ্চিমবঙ্গ সরকার থেকে হচ্চে না। পশ্চিমবঙ্গ সরকার থেকে বাস্তুহারাদের কো-অপারেটিভ্ গড়ে তুলবার কোনরকম উৎসাহ ও প্রেরণা দেওয়া হয়েছে বলে জানি না। বরং বাস্তুহারাদের ভেতর থেকে তারা নিজেরা অগ্রসর হয়ে যে সকল কো-অপারেটিভ্ স্থাপন করেছেন, সেই সকলেরও কোন সাহায্য পশ্চিমবঙ্গ সরকার করেন নাই। আমি যেটুকু সংবাদ রাখি—১৫৫টী কো-অপারেটিভ্ বাস্তুহারাগণ এ পর্য্যন্ত গড়ে তুলেছেন, তার মধ্যে গোটা ৫।৭ বাদে আর কোন কো-অপারেটিভ্ সরকার থেকে সাহায্য পেয়েছে কি না সন্দেহ।

পাটিকাবাড়ী ও হুগলী-রাধানগর কো-অপারেটিভ্ ফার্মও নদীয়া জেলার বাস্তুহারারা স্থাপন করেছেন। পর্ব্বতন বিভাগীয় মন্ত্রীমহাশয় এই কো-অপারেটিভ্ ফার্ম স্থাপনে যথেষ্ট উৎসাহও দান করেছিলেন। কিন্তু আমি যেটুকু খবর রাখি এই কো-অপারেটিভ্ ফার্ম দুটীও সরকারের কাছ থেকে এ পর্য্যন্ত কোন সহায়তা পায় নাই। তাদের শেষকালে বাধ্য হয়ে মাঠের পাট বন্ধক দিয়ে মারোয়াড়ী মহাজনদের কাছ থেকে টাকা নিতে হয়েছে, অল্প দরে সেই পাট বিক্রী করতে হয়েছে। এটা খুবই দুঃখজনক ব্যাপার। যদি আমার এই কথা মিথ্যা হয় তাহ'লে আমি সবচেয়ে বেশী সুখী হবো।

আমার কথা হচ্ছে এই সরকার কোটী কোটী টাকা খরচ করছেন পুনর্বাসনের জন্য। এই টাকার যাতে সদ্ব্যবহার হয় সেইদিকে সরকারের দৃষ্টি রাখা উচিৎ। কো-অপারেটিভ্ মারফৎ যদি এই টাকা খরচ করতে অগ্রসর হন, তাহলে অনেক বেশী ফল সরকার পাবেন, এবিষয়ে কোনই সন্দেহ নাই। একটা দৃষ্টান্ত দিচ্ছি—চীন দেশে গত যুদ্ধের সময় ১৯৩৮-৪২ সালে বহু কো-অপারেটিভ্ ইণ্ডাষ্ট্রীজ স্থাপিত হয়েছিল। সেখানে সামান্য তিন বছরের মধ্যে বারশ' Co-operative industries প্রায় ১৭,০০০ হাজার সদস্য সংগ্রহ করেন এবং এই ১৭,০০০ হাজার সদস্য যে মাল প্রতি মাসে উৎপাদন করতো তার পরিমাণ প্রায় সাড়ে সাত কোটী চায়নীজ ডলার।

১৯৪৪-৪৫ সালেও চীন দেশে এই সব Co-operative industries মারফতে উৎপাদন ক্রমশঃ বৃদ্ধি পেয়েছিল এই বিষয়ে কোন সন্দেহ নাই। এই প্রকার Co-operative industries আমরাও বাস্তুহারাদের দিয়ে স্থাপন করতে পারি। তা না করে তাদের ব্যক্তিগতভাবে ঋণ দিয়ে—৫০০ টাকা ঋণ দিয়ে মাত্র কয়েক মাসের গ্রাসাচ্ছাদনের ব্যবস্থা করি। তারপর তাদের পথের ভিখারীর মত ছেড়ে দিচ্ছি। আমার মনে হয় এইসব টাকা অনেক সময় অপব্যয় হচ্চে। এইদিকে আমি প্রধান-মন্ত্রীর দৃষ্টি আকর্ষণ করছি। Co-operative society করে উদ্বাস্তুগণ কোনখানে বিফলকাম হয়েছেন বা তথা সুষ্ঠুভাবে বা ঠিকভাবে চলেনি বা সরকারের এদিকে কোন ভয়ের কারণ আছে এরূপ কোন খবর আমি জানি না। এইদিকে মাননীয় প্রধান-মন্ত্রীমহাশয় যদি জোর দেন তাহলে, আমার মনে হয়, এই যে টাকা তাঁরা খরচ করছেন সেটা ভুল পথে না দিয়ে ভালভাবেই ব্যয়িত হবে। আর একটা কথা এই সঙ্গে বলছি, মাননীয় রাজ্যপাল মহাশয় জনস্বাস্থ্য এবং চিকিৎসার ব্যাপারে বাংলা দেশ যেভাবে অগ্রসর হচ্চে তার তালিকা দিয়েছেন খুবই আশার বিষয় সন্দেহ নাই। দেশের হাসপাতালের bedএর সংখ্যা বেড়ে গিয়েছে। দুইটী নূতন হাসপাতাল খোলা হয়েছে এবং ক্যানসার প্রভৃতি রোগের চিকিৎসার ব্যবস্থা হচ্চে। এত বিপদের মধ্যেও পশ্চিম বাংলা সরকার এই বিষয় ভোলেন নাই এটা সুখের কথা। কিন্তু সঙ্গে সঙ্গে আমি মাননীয় প্রধান-মন্ত্রীমহাশয়ের দৃষ্টি একটি বিষয়ে আকর্ষণ করবো। তিনি দেখিয়েছেন যে, এক বৎসরে ৬০টি থানায় ও গাবে Union Health Centre খোলা হয়েছে। আমাদের

জেলায় ১৯৪৭-৪৮ সালে মোট ১০টা থানায় ও গ্রামে এই Health Centre স্থাপনের পরিকল্পনা সরকার গ্রহণ করেছিলেন এবং এজন্য টাকার বরাদ্দ হয়েছিল। কিন্তু ১৯৫০ সালেও আমাদের জেলায় একটী মাত্রও Union বা থানায় Health Centre আজো গড়ে উঠা সম্ভব হয়নি। এটা অত্যন্ত দুঃখের কথা। কিন্তু কেন হচ্ছে না? কে দোষী? আমি আশা করি মাননীয় মন্ত্রীমহাশয় এই বিষয়ে দৃষ্টি দেবেন।

আর একটি কথা, আমাদের পশ্চিমবঙ্গের উপরের তিনটে জেলা বিচ্ছিন্ন হয়ে পড়ে আছে। আমাদের দেশে যে খাদ্যের অভাব সে সম্পর্কে অনেকেই অনেক কথা বলেছেন। আমি একটি কথাই বলবো এই যে, তিনটে জেলা—জলপাইগুড়ী, দার্জিলিং আর কুচবিহার—সেখানে খাদ্যের অবস্থা শোচনীয়—জলপাইগুড়ীতে চালের মণ ৪০ টাকা, কুচবিহারে ৪৫ টাকা মণ আর দার্জিলিংকেও সম্পূর্ণরূপে বাইরের চালের, রেশনের চালের উপরেই নির্ভর করতে হয়।

Sj. SIBNATH BANERJEE: On a point of order. We were told that no member, honourable or otherwise, should cross between you Mr. Speaker and the speaker, that is, the Assembly member. I find that the ex-Chief Whip crossed between the Speaker and the honourable member. That is very disorderly and it is almost contempt of you.

Mr. SPEAKER: Yes, that is wrong.

Srijukta BINA BHOWMICK: মাননীয় স্পীকার মহোদয়—এবারকার প্রদেশপাল মহোদয়ের অভিভাষণের মধ্যে তিনি বিশেষভাবে এদেশের বাস্তহারাদের সমস্যার কথা বলেছেন। এটা খুবই স্বাভাবিক। কারণ বাংলাদেশে এটাই বর্ত্তমানে সব চেয়ে বড় সমস্যা। কিন্তু তার অভিভাষণে যে একটা আত্মতৃপ্তির সুর ফুটে উঠেছে, যা থেকে মনে হয় যেন এই সমস্যা অনেকখানিই আয়ত্তের মধ্যে নিয়ে আসা হয়েছে—এটা অনেকেরই বিসদৃশ লেগেছে। কারণ এই বিষয়ে দেশবাসীর ধারণা ও কর্ত্তৃপক্ষের ধারণা সম্পূর্ণ বিপরীত। বাস্তহারা সমস্যা সমাধান সম্পর্কে কর্ত্তৃপক্ষের প্রচেষ্টার মধ্যে বহু গলদ রয়ে গেছে। কি কি ত্রুটি রয়ে গেছে, আমার পূর্ব্ববর্ত্তী বক্তারা বিশদভাবে তার আলোচনা করেছেন। তার পুনরাবৃত্তি না করে আমি আজ একটি বিশেষ সমস্যা সম্বন্ধে কর্ত্তৃপক্ষের দৃষ্টি আকর্ষণ করবার জন্য দাঁড়িয়েছি। প্রদেশপাল মহোদয় তার বক্তৃতায় বলেছেন যে দুর্দ্দশাগ্রস্ত পীড়িত বাস্তহারার দল এ প্রদেশের স্বাস্থ্য বিপন্ন করে তুলেছে এবং নানা দুরারোগ্য ব্যাধিতে সারা দেশ ছেয়ে গেছে এবং এই সব ব্যাধিগ্রস্তদের আশ্রয় ও চিকিৎসার জন্য নূতন নূতন হাঁসপাতাল ও অনেক নূতন bed সৃষ্টি করা হয়েছে। এবং আরও করা হবে। কিন্তু বাংলাদেশে উপযুক্ত নার্সের অভাব। এই অভাবের জন্য বেশীর ভাগ হাঁসপাতালের কার্য্য ব্যাহত হচ্ছে। কিন্তু আমরা জানি বাংলার মেয়েরা আজ যে রকম অবস্থায় এসে দাঁড়িয়েছে, তাতে অনেকেই উপার্জ্জনের জন্য নার্সিং শিখবার দিকে এগিয়ে আসছে—নার্স হবার জন্য তাদের আগ্রহ দেখা দিয়েছে। কিন্তু অত্যন্ত দুঃখের কথা এই যে ঠিক এই সময় নার্সদের পারিপার্শ্বিক অবস্থা সম্বন্ধে এবং তাদের উপর হাঁসপাতালের কর্ত্তৃপক্ষের আচরণ ও ব্যবহার সম্বন্ধে নানারকম গুরুতর অভিযোগ শোনা যাচ্ছে। সেইসব অভিযোগ মিথ্যা বা অতিরঞ্জিত বলে উড়িয়ে না দিয়ে আমার মনে হয়, কর্ত্তৃপক্ষের উচিত, সে সম্বন্ধে একটা তদন্তের ব্যবস্থা করা। কারণ যে সব অভিযোগ শোনা যাচ্ছে, তার কিছুটাও যদি সত্য হয়, তবে বাংলার মেয়েদের নার্স হবার যে আগ্রহ দেখা দিয়েছে, তা কতদিন থাকবে বলা যায় না। কারণ বাংলার মেয়েদের মনে এতদিন এইসব কাজের বিরুদ্ধে যে সংস্কার ও ভীতি ছিল তা কাটিয়ে মেয়েরা যখন আজ এদিকে এগিয়ে আসছিল, প্রতিকূল অবস্থার জন্য সে মনোভাব ও আগ্রহ যদি নষ্ট হয়ে যায়, তাহলে সত্যই সেটা ক্ষোভের ব্যাপার। কলকাতার অনেক নার্স জানিয়েছেন তাঁদের প্রতি কর্ত্তৃপক্ষের ব্যবহার অত্যন্ত রূঢ়—এমন কি অপমানজনক। সম্প্রতি কলকাতার একটি প্রসিদ্ধ হাঁসপাতালের "মেট্রন" একটি নার্সকে ভর্ৎসনা করে বলেন, "যত সব বাজে refugee মেয়ে না খেতে পেয়ে এখানে এসে নার্স হয়ে জুটেছে।" এটা যদি সত্য হয় তার চেয়ে দুঃখের আর কি হতে পারে? এ ছাড়া আরও কতকগুলি ব্যাপারে বাংলার মেয়েরা নার্স হবার পক্ষে অসুবিধা বোধ করে। যেমন—আজকালকার দিনেও হাঁসপাতালগুলির রীতিনীতি, আদব কায়দা আগের মতই অনেকটা বিলিতি ধরনের রয়ে গেছে। কলকাতার একটা বিখ্যাত হাঁসপাতালে বাঙালী মেয়েদের বিজাতীয় পোষাক পরতে বাধ্য করা হচ্ছে। আমাকে একটি নার্স বলেছিলেন, দিনের মধ্যে যতবার হাঁসপাতালের কর্ত্তৃপক্ষের সঙ্গে দেখা হয় ততবার Good Morning না বলতে পারলে শুধু যে ভর্ৎসনা পেতে হয় তা নয়, promotion বা অন্য বিষয়েও

অসুবিধা হয়। এ ছাড়া নার্সদের তরফ থেকে আরও গুরুতর অভিযোগ আছে। Junior trained নার্সরা senior trainingএ যোগ দেবার যথাযথ সুযোগ পায় না। নার্স নির্বাচন করার জন্যে যে Selection Board আছে, তাতে নাকি কোনও non-official member নেই। Medical Collegeগুলির Selection Boardএ non-official members রাখা হয়। সেজন্য মনে হয় নার্সদের Selection Boardএও non-official member থাকা খুবই উচিৎ। তা ছাড়া আর একটা কথা—বাংলা দেশের হাঁসপাতালে বাংলাদেশের বাস্তহারা মেয়েরাই first preference পাবে, এইরূপ নির্দেশও কর্তৃপক্ষের দেওয়া উচিত। কারণ এইরূপ অভিযোগ শোনা যায়, অনেক শিক্ষিত মধ্যবিত্ত ঘরের বাঙ্গালী মেয়েরা দরখাস্ত করেও হাঁসপাতালগুলিতে নার্সিং শিক্ষার ব্যবস্থা পাচ্ছে না। এরমধ্যে প্রাদেশিকতার কোন প্রশ্ন নাই। আজ বাংলাদেশের এই দুর্দিনে যখন সর্ববিধ উপায়ে বাস্তহারাদের পুনর্বাসনের ব্যবস্থা করা হচ্ছে, তখন এখানকার হাঁসপাতালেও অন্যান্য প্রদেশের আগে বাংলাদেশের অসহায় দুঃস্থ বাস্তহারা মেয়েদের প্রথম স্থান দেওয়া উচিৎ—এটা নিশ্চয়ই আশা করতে পারি।

মাননীয় স্পীকার মহোদয়—আপনার মারফৎ আমি আবার আমাদের কর্তৃপক্ষকে অনুরোধ করছি তাঁরা যেন এই বিষয়ে অবহিত হন। এবং নার্সদের সম্পর্কে যে সমস্ত অভিযোগ শোনা যাচ্ছে, সেইসব একটা দায়িত্বশীল মহিলা কর্মী দিয়ে গঠিত বোর্ডের দ্বারা তদন্তের ব্যবস্থা করেন এবং যাতে বাংলার মেয়েরা বাংলার হাঁসপাতালে first preference পায়—তার জন্য দৃঢ় ব্যবস্থা করেন।

Janab SYED BADRUDDUJA: Mr. Speaker, Sir, I have listened with very close attention to the most excellent speech of His Excellency the Governor of West Bengal. The speech, however, refers to various problems, but unfortunately omits any reference whatsoever to the miseries, the distress, the misfortunes of West Bengal Muslims—uprooted from their homes and hearths, robbed of their properties and possessions, denuded of all their earthly belongings and reduced to the sorest possible straits. The main burden of his song is East Bengal refugees. The melancholy burthen and blot of many a page in his speech refers to the East Bengal refugees. It refers to the recent havoc caused by earthquake in Assam. We have genuine sympathies for our brothers and sisters in Assam and the refugees from Eastern Bengal. But how I wish the Governor, as Head of the State, representing as you observed, Sir, yesterday, the policy, the mind and will of the Government, should have at any rate referred to the misfortunes through which Mussalmans have passed during the last few months—misfortunes before which all other miseries during the last two hundred years pale into insignificance. Sir, I was wondering what His Excellency the Governor meant by this deliberate omission—deliberate omission of the sufferings of the Muslims. I was wondering, I was rubbing my eyes in amazement how the Governor of the province conversant with the affairs of the province, conversant with the affairs in all the aspects, in all their bearings, in all their implications, in all their repercussions upon the entire State and outside as well, how could the Governor ignore this. Sir, I am not going to criticise the Governor, because the Governor is too high, much too dignified; he is above reproach, he is like Caeser's wife above suspicion. I was wondering, but I have got the answer. It is because the Governor represents the Government of the province, its policy, its tendency, its aspiration, its outlook, its mind and will. The State Government, Sir, have failed most miserably to protect the Muslim minority from organised hooliganism and vandalism of the miscreants—miscreants aided and abetted, organised, disciplined, arrayed and maintained by forces from behind the scene. Because the Government have failed, they have no other alternative but to come forward with a special pleading from the Governor of the province, even after massacres of Muslim innocents in thousands, even after the uprooting of hundreds of thousands of Muslims from their homes and hearths making them homeless wanderers in the State, even after devastation on a colossal scale and destruction of properties worth crores of rupees, shattering the entire economic structure of Muslim citizens of the

State, even after rape and abduction of hundreds of Muslim women and girls, even after naked processions of Muslim women carried on publicly—a fact that has been testified to by evidence, that has poured in not only from Muslims but also from responsible Hindu leaders. There are Hindu leaders present even in this House for whom I have the greatest admiration and respect. In the hour of the greatest need of Muslims, they stood by them, sided with them, sympathised with their miseries. I am sure they will bear testimony to what I am saying and they will bear out my contention.

Even after the uprooting of Muslims, even after dismissal of thousands of Muslims from the jobs in the industrial areas rendering their families absolutely destitute, even after inhuman atrocities, inhuman tortures perpetrated by the police upon Mussalmans, shooting Muslims down dead, breaking even the shin bone of a Muslim woman, even after the reports that have been pouring in from different quarters that the police sat on the breast of Mussalmans in Nadia district, and actually watered on their mouths what was the position of the Mussalmans in the State. Even after this devastation, even after this destruction and tortures, even after the murder of Mr. Cameron which focussed the attention of the civilised world, the Governor as a Head of the State had not even the courtesy to mention about the murder as also about massacre of Muslim innocents on a colossal scale. It is nothing strange, it is nothing surprising, it is nothing wonderful, simply because the Governor represents the Government of the Province. Heaven would not have fallen if the Governor even indirectly expressed a word of sympathy with the unfortunate victims of riots; Heaven would not have fallen if the Governor had a word to heal up the wounds and soothe the hearts of those who have been uprooted from their homes and hearths and forced to leave their houses out of desperation and panic, despite all constitutional safeguards provided in the Constitution, despite all guarantees therein for protection of Muslim citizens of the State. We are grateful to the Hon'ble Prime Minister of India and also to the Prime Minister of Pakistan for making the sincerest endeavours even in the teeth of opposition in the country to bring about that historic Pact which has succeeded in arresting the drift, in restoring confidence, and improving the condition to a great extent. But even after the Pact we find that a Muslim Public Prosecutor was shot dead in broad day light in Bankura and in Malda serious developments took place towards the end of May, 1950. I will only refer to that portion of His Excellency's speech where he observes that "While the harassment of migrants from East Bengal during transit has lessened a great deal since the Delhi Pact, it is difficult, however, to say to what extent the main objective of the Pact has been achieved, namely, the creation of conditions in East Bengal whereby confidence of the minorities may be restored. I am happy to be able to state, however, that since the Pact my Government have been able, by energetic action, to create such conditions in my State where, as the migration figures show, larger numbers of Muslim migrants are coming back and are being restored to their former life." He unfortunately forgets, however, that a large number of Muslim migrants are going out to East Bengal daily even now. He forgets the other side of the picture that lakhs of Hindus have returned to East Pakistan. He says that normal conditions have been restored in the State. But we find that in the Mirzapur and Baitakhana area Muslims who had been displaced but have come back after the Delhi Pact, find that legal quibbles are even now standing in the way of their rehabilitation, and further that Muslim owners of houses must not be resettled and rehabilitated, must not be restored possession of their houses—not till alternative accommodation has been found for East Bengal refugees. But we too can claim genuine sympathies from the Government. We may not be blood of the same blood, bone of the same bone, flesh of the same flesh; but we claim that we are *bona fide* citizens of the State; we claim the same rights, the

same privileges, the same opportunities, the same facilities as members sitting on the other side. The Constitution gives us that right. Let the Government come forward and say, "we are not going to meet the ends of justice, we are not going to rehabilitate the Muslims, to restore possession to Muslims of their houses till we have found an alternative accommodation for the occupants. We shall then know where we stand." It is, Sir, surprising to find that out of crores of rupees that have been spent on refugees, only 6 lakhs of rupees have gone to unfortunate Muslim refugees who have been displaced, who have lost their all. They have got to be satisfied with six lakhs only. Even in the matter of rations there has been discrimination, each Muslim getting four annas and odds and some rice and Hindu refugees Rs. 2-8 each. We are citizens of the State and not foreigners, not interlopers or helots in this country. My friend Mr. Walker has just now mentioned that out of 22,000 Muslims that were dismissed from their jobs with no notice or with bad notice defective in law, 12,000 have been re-employed—whether on the same terms and conditions I do not know. But I can tell you how they were dismissed. The Hon'ble the Chief Minister of the Province and the Labour Minister on the 15th of April asked the Jute Mills Association to ask the workers to report themselves to duty by the 24th April. On the 14th April the mills had been closed and the workers had left. Even in normal circumstances two weeks' notice is necessary. But in this particular case that condition was violated. Then again for absence of more than 10 days a charge-sheet has got to be framed and the worker must be required to explain his conduct before he is dismissed. But in this case straightway Muslims were dismissed perhaps because others had to be accommodated, whether by the good offices of some interested persons or not I do not know. I shall be thankful if Government will satisfy me on the point as to how many of the Muslims are still starving, wandering and knocking about in mill areas, and how many have been re-employed in the same posts. I personally asked the Chief Minister to extend the time so that Muslims might get sufficient time to come back. But on the 21st April, 1950, notices were given to the Muslim workers to attend by the 24th April, although two weeks' notice was necessary. Notices were not actually served but pasted in the Jute Mills on the 21st April. Muslim workers had no idea as to what was going on, for they, in panic and out of desperation, had left the mills and had gone either to Pakistan or the neighbouring States in India. They were, however, straightaway dismissed. Mr. Walker says that some of them have been re-employed. How I wish the Government of West Bengal exercised their good offices according to the terms and conditions laid down in the Annexure to the Delhi Pact to improve the condition and re-employ the workers and to see that the rest of the Muslim workers are also re-employed on the same terms and conditions. They should have the same sympathy, the same consideration, if not more, as you have shown to our East Bengal brothers and sisters.

Sir, all these ugly developments, I can assure you, could never have happened, had the police—who by their passive connivance, active support and often by their direct participation in the disturbances fomented the troubles—been withdrawn from the field. In many areas there had been police officers who had risen to the height of the occasion, but the police in general had failed to protect the minority. Their utter indifference, their callous attitude, their connivance were responsible for accentuating and fomenting the troubles. Sir, the Executive had failed, the police had failed, the administration had failed to protect the minority from organised hooliganism of the miscreants who very often went on almost unchecked and undeterred. There were hundreds of instances in various parts of the State; in one district alone there were 39 to 40 incidents on a single date. In various parts of the country incidents occurred in regular succession. Those

hooligans, those *badmashes*, those desperadoes under the protecting wings of various forces and organisations behind them carried on their depredations almost uncheeked and undeterred. If Government had the courage, if Government had the decency, the sympathy, the sincerity of purpose which they ought to have, they should have come forward to check the vagaries, the vandalism, tyrannies and tortures of the police.

Sir, if there had been half a dozen such deaths due to such tortures in England, if there had been one single case of abduction and rape in England, the British people would have provoked a first class crisis, demanded the head of the British Premier on a charger and razed the British Government to the dust. But this barbarous state of things that prevails in the land is possible only under the barbarous system of administration. Wanton attacks, loot, plunder, murder, assassination, abduction and rape on a colossal scale had been allowed to go unchecked for more than two months. There was no relief, there was no protection till Pandit Jawaharlal Nehru, that noblest of men in modern India, that man of colossal heart, of colossal mind, of colossal brains, that man of generous impulses, that man with genuine sympathies for minorities came forward, till the noblest soul of modern India stood by the side of the Muslims and brought the situation under control.

Simply after the introduction of the military regime on the 28th of March 1950, on the 29th we found that there was new order of things. Although propaganda is even now being carried on that Bengal should rise in revolt, yet the State Government are sitting silent. Should Bengal rise in revolt only to counteract the sympathetic approach of Pandit Jawaharlal Nehru and his Government! Bengal had in the past risen in revolt much to her own cost. Bengal—Muslim Bengal and Hindu Bengal—had risen in revolt; but today she is torn to pieces, tortured with miseries and sufferings. Today we are a shadow, a mimic cry of the past, a pathetic commentary on the glorious contribution that we made to world civilization and culture only 50 years ago. I would appeal to the Hon'ble Chief Minister, appeal to my friends opposite that they must rise to the height of the occasion, they must not mince matters, they must realise the gravity of the situation, they must try to punish those offenders—whether official or non-official—whether belonging to the police force or the executive, to whatever class, to whatever condition of life, to whatever denomination, to whatever persuasion, to whatever religion, to whatever creed, to whatever political complexion, particular offenders—official or non-official—may belong, they must be punished and all necessary steps must be taken against them. We want that all the privileges, we want that all the rights that have been provided in the constitution must be enforced by legislative and administrative measures. We want that Mussalmans should feel—not merely theoretical propositions here and there will do—but as Pandit Jawaharlal Nehru has rightly pointed out—Muslims must feel that police officers behave themselves, they should not be allowed to run amuck and take the law in their own hands in the name of maintenance of law and order. The Mussalmans who are an integral part of the State are entitled to get the same protection, the same shelter, the same recognition, the same opportunities as other sections of the people are enjoying at present.

Sir, it is prayer time and I have not yet finished. I will take a few minutes more.

Mr. SPEAKER: Yes, you may go on.

Janab SYED BADRUDDUJA: It is prayer time.

The Hon'ble Dr. BIDHAN CHANDRA ROY: You are tired.

Janab SYED BADRUDDUJA: No, I am not tired. I am prepared to go on for another hour if you have the patience.

Mr. SPEAKER: The House will adjourn at 5-45; you can go on.

Janab SYED BADRUDDUJA: I cannot finish in two minutes.

Sir, I was surprised that the speech never referred to the question of rehabilitation of Muslim migrants from Eastern Bengal. My learned friend Mr. Khuda Bukhsh yesterday referred to it. Perhaps he can speak with a little greater authority on this subject because he has been dealing with this. Even now, in September 1950, we find that by far the largest majority of Muslims do not get their own houses, even now we find that Government is only thinking of promulgating an Ordinance or passing a legislation. These are the days of Ordinances, days of Security Acts. They have done it in the past; if they felt the necessity they might have promulgated some Ordinance earlier to cope with the difficulties, to cope with the complexities of the situation. Perhaps it did not deserve their attention. After all it was the Muslims who must suffer and nobody else. There was no necessity for promulgating an Ordinance in order to avoid or evade the technicalities and legal incertitude on the subject. It is now necessary that the law must be promulgated. I told the Hon'ble Labour Minister some time back, "it is a peculiar problem, a peculiar proposition that you are the Chairman of the Minority Commission, you have got to think of rehabilitating the Muslims, you have got to recommend and you have got to execute at the same time. Why this round about policy? Why don't you order the police to rehabilitate Muslims straightaway, instead of going in this round about fashion"? That would have been better; that would have solved the problem much quicker. It has not, however, been possible, because the Government believe in red-tapism, they believe in various other dilatory procedures adopted so far.

(At this stage the House was adjourned for 15 minutes.)

(After adjournment.)

Point of privilege.

Sj. BIMAL COMAR CHOSE: Mr. Speaker, Sir, on a point of privilege. I did not want to interpose at this moment but we received two circulars from the office about certain bills which will be introduced I do not know when, but about which amendments will have to be submitted by 3 o'clock tomorrow, and one of these bills is very important, viz., the West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill. Sir, I do not see how we can examine these Bills particularly with reference to the Acts concerned which will have to be obtained and then submit amendments by 3 o'clock tomorrow.

On this occasion I should also like to refer that this is not the first instance that we have received notices of many Bills about which amendments will have to be submitted at very short notice; for you may also remember that in previous sessions we have had to labour under the same difficulty and we brought the matter to your notice and on those occasions you expressed your regret and administered a mild admonition to the Government and said that in future such things will not recur. Unfortunately, Sir, things do not seem to have improved. There are certain rules provided in the Assembly Procedure Rules. They can be deviated from only if you consider that an emergency situation has arisen or that there was not sufficient time to give notice of bills or that sufficient notice could not be given to members for giving their amendments. It is for you

to decide if such a contingency has arisen, but if you feel that these contingencies are recurrent it will be much better for you, Sir, to scrap those provisions in the Assembly Procedure Rules and to say that Bills may be introduced any time and notices of amendments may have to be sent in by any time. I want your ruling on that point. That is the first thing.

There is another matter bearing on the same subject and that is with regard to a particular Bill in which I am interested—the West Bengal Sales Tax (Amendment) Bill. This is a rather long Bill and we have not received the Act and it appears to me that the copy we have in the Assembly Library probably is not also up to date. I wish the Government had circulated along with the Bill a copy of the Act and the Rules and the Amendments they have from time to time made so that we might have studied them and tried to send in our amendments.

I might mention, Sir, in this connection that you may be aware that the laws that we have been turning out on mass scale in this House have not always been found to be quite satisfactory at least in point of quality. One reason is that we members do not get sufficient time to study them or to move amendments. I hope, Sir, you will do something about it. So, I want your ruling on three points: First, West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill—I want the time to be extended. By tomorrow we cannot submit amendments; secondly, about the general procedure of introducing Bills and time for giving notices of amendments, and if you feel that you are helpless in the matter, then I would humbly request you to omit the relevant portions in the Assembly Procedure Rules; and, thirdly, in regard to the West Bengal Finance Sales Tax (Amendment) Bill, if the Government will kindly furnish us with copies of the Act and of the amendments that have been made thereof, then it will help us in sending in our amendments.

Mr. SPEAKER: I shall give my ruling later on. In the meantime let Mr. Badrudduja finish his speech.

Janab MD. KHUDA BUKHSH: Sir, may I be permitted to speak on a point of privilege?

Mr. SPEAKER: Not now.

Amendments to the motion of address in reply to Governor's speech.

Janab SYED BADRUDDUJA: Mr. Speaker, Sir, one more point and I have finished.

Sir, I have to refer to the question of representation of poor Muslims in the services, in trade and in other spheres of life and domains of activities. In a secular State we feel that a citizen's rights should be protected. At any rate, Mussalmans, man to man either in intelligence, in commonsense, in talent, in integrity of character are not inferior to any other race in India. I do not see why suddenly after partition Muslims do not find themselves anywhere in the picture. I am not referring to the officers who have opted out to Pakistan. I am simply referring to the activities of the present Government during the last three years. I am grateful to the Hon'ble the Civil Supplies Minister for a few crumbs that have fallen from his table in the shape of some temporary appointments. But a nation or a community or a section of people cannot be satisfied with a few crumbs from the table. Those, of course, who are apt to be satisfied, with a few crumbs, let them please themselves. Even in the Calcutta Corporation,

which is administered by an Administrator under the protecting wings of the Government, we find that Muslims do not find any quarter. During our regime, Sir, when I was Mayor of the Calcutta Corporation and there were other Councillors too—I do not know if any of them are here—the Chief Minister was Mayor at one time and was a Councillor and Alderman for many years—thanks to Netaji Subhas Chandra Bose and Deshabandhu Chittaranjan Das, the rights and privileges of Muslims were protected. As a matter of fact, Netaji Subhas Chandra Bose speaking on the floor of the Corporation had the courage of his conviction to declare from the house-top in clear language "the Corporation has got to respond to the spirit of the times". That was in the year 1924 or 1925. He said: "Hindus have enjoyed a sort of monopoly in the matter of appointments; that monopoly has got to cease." That was possible in 1925, but it is not possible in the year of our Lord 1950, when we have got an independent State, a secular State and a constitution which provides guarantees for protection of all sections of people in trade, in the services and in other domains of life. This is the unfortunate tragedy. Everywhere Muslims are sought to be paralysed, crushed, bled white, denuded of all their possessions and deprived of opportunities and facilities for self-expression—all in the name of the secular State, all in the name of democracy. Sir, there is something defective in the very conception of democracy itself. As Pandit Jawaharlal Nehru has rightly observed democracy and majority rule are not the same thing.

Sir, if we condemn the tyranny of the minority, of a Hitler, of a Mussolini, of a Nepolean, of an Alexander, of a Chengiz Khan, the tyranny of the majority has got to be condemned also in no uncertain terms, and more so because that tyranny is legalised by constitutional sanctions behind it. In this very house during the regime of the Muslim League when the Secondary Education Bill was being piloted by Mr. Fazlul Huq, the then Premier of Bengal, Dr. Shyamaprosad Mukherjee threw a challenge to Mr. Huq. I was then a member of the Majority party. I on behalf of the Hindus of Bengal, said "I am not prepared to accept that challenge from a friend to a friend, from a child of the soil to another, from a colleague to another colleague." When the Hindus were suffering from the same miseries and misfortunes that Muslims do today, I pleaded for a better understanding, I pleaded for an adjustment of the conflicting interests of the various communities. We did it in the past. But today we find thanks to the policy and programme of the present Government Muslims have been done away with. If we honour the memory of that great soul who sacrificed himself for the sake of the Muslims of India, if we honour the memory of Mahatma Gandhi, of Deshabandhu Chitta Ranjan Das and of Netaji Subhas Chandra Bose, if we honour the memory of Moulana Mohammad Ali, if the memories of these savants and seers are still lingering in the minds of both Hindus and Muslims of India, then I feel that those leaders, those protagonists of the rights and privileges of all sections of the people, those protagonists of freedom must come forward to protect the rights of Muslims, to protect the rights of all sections of the people. My Scheduled Caste friend over there had not the courtesy even to refer to the miseries of the unfortunate Muslims. I am referring to Mr. Nishapati Majhi. He was talking of the refugees from East Bengal, not a word of sympathy came out of his mouth for the Muslim sufferers, for Muslim victims of disturbances. I would, however, plead for all the sufferers, for the oppressed, for the depressed, for the suppressed, for all those who have been deprived of their rights and privileges, more so in the name of the new Constitution, in the name of the secular State.

Sir, I would again appeal to you in all seriousness, with all the emphasis at my command "for God's sake, have some legislation to protect the

Muslims who have become homeless wanderers". The other day in Hyat Khan Lane a particular Police Officer took it into his head to restore possession of a Muslim House. The poor man was found under law to be a trespasser and convicted. I am not going into the details of the incident at Hyat Khan Lane at the present moment. Sir, an extraordinary situation calls for an extraordinary remedy. In order to meet the Communist menace you have resorted to Security Acts, Ordinances, and all those rusty legislations which human imagination could ever concieve of. But in order to meet a danger which is more serious, more subversive in its tendency, more inconsistent with the policy and programme of the Congress, more inconsistent with the ideals of the Congress, more inconsistent with the fundamental rights embodied in the Constitution, it has not been possible for you to introduce any legislation so far to cope with the fast increasing complexities of the situation. It has been possible, Sir, to give some sort of a grant, Government have been pleased to give some sort of a purpose grant; but all purposes have been frustrated so far. An analysis of the case by Mr. Khuda Bukhsh shows that most of the districts have not yet submitted returns and that only five per cent. of the families in the districts that have so far submitted returns have got barely Rs. 100 and the rest will have to be satisfied with only Rs. 14. That is the position Sir, in spite of the annexure, in spite of the professions, in spite of the so-called tall talks, we find that the Muslims are nowhere in the picture. I would, therefore, once more appeal to Government that if they mean business, if they swear in the name of the Constitution, if they want to protect their people, if they are the Government of all sections of the people and not of any particular section, if they are the Government of the Muslims, of the Hindus, of the Anglo-Indians, of the Christians and more specially of the Muslims who have been deprived of their rights and privileges, they have got to honour the constitution and observe the historic pact for solution of the problems of unfortunate minorities of India at this critical juncture.

Janab MUDASSIR HOSSAIN: Mr. Speaker, Sir, His Excellency Sri Kailash Nath Katju in the concluding portion of his speech has said "I pray that you may be blessed with sound judgment by the Almighty for arriving at a right conclusion in all these matters". Sir, the matters referred to in his speech are—

(1) the profound distress and the calamity which have befallen the sister province of Assam;

(2) the unfortunate happenings in both Bengals which led the Prime Ministers of India and Pakistan to conclude the Delhi Pact on April 8, 1950, and the effect thereon;

(3) food situation in the State;

(4) roads and means of communication in the State of West Bengal; and

(5) financial position of the State of West Bengal.

Now, Sir, let me repeat what I have said on the floor of this House on occasions more than once. So far as the Muslim members of this Assembly are concerned they are entirely powerless and are mere pawns in the game of power politics. Their advice and recommendations carry no weight and as a matter of fact they are always overruled. Today their position is just what the late Kiran Sankar Roy, Leader of the Opposition in undivided Bengal, once stated here on the floor of this House. He said, "Our case may be right; our case may be just; we may have logic, reason, justice and fairness on our side; but these have no effect as we have no effective vote on our side". To this dictum of the late Kiran Sankar Roy I may add that

our cry is a cry in the wilderness like that of an abandoned child in a forest Therefore our cry or presence in this Assembly is of no avail as we are no in a position to influence the action or opinion of Government in any way Sir, the attitude of this Government towards Muslims of West Bengal is unsympathetic and unhelpful, and I shall not be far from truth if I say that it is possitively hostile. Let me quote some of the incidents where the legitimate interests of the Muslims have been brushed aside. Under the Delhi Pact a minority Minister was to be appointed by the State of West Bengal. The obvious meaning and significance of this direction is that such a person is to be appointed as has got the confidence of the minority community concerned. That obviously means that the members of the minority community should be consulted in this matter, but that has not been done. The appointment has been made according to the sweet will and pleasure of the power that be. I do not deny for a moment that it is the prerogative of the Chief Minister to appoint anyone he likes. But what I want to impress upon is that that prerogative must be exercised on just and democratic principle. That I make bold to say has not been done.

Then, Sir, the election of the Muslim members for the Parliament of India is another instance where injustice has been done to us. In this case the Congress Assembly Party nominated two Muslim members without consulting the Muslim members of this House. So the election was a mere eye-wash as most of the Muslim members did not take part in the election as a protest for not consulting them in this matter. These are small matters, Sir, but they go to the very root of the injustice that is being meted out to us.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Then you want separate electorate?

Janab MUDASSIR HOSSAIN: No. If I am given an opportunity I can prove that you are irrelavent in your remark.

Then again, one of the terms of the Delhi Pact is that an adequate number of Muslims should be taken in all Committees and in all political and other activities of Government. But the fact is that no Muslim has been appointed in any committee and that no police or security officer has yet been taken from the Muslim community. It is a fact that Government is neither helpful nor sympathetic towards Muslim aspirations. This reminds me of the Bengali adage:—

যতই মারবে মারো পিঠে বেধেছি কুলো,
যত বলবে বল কাণে দিয়েছি তুলো।

Therefore, Sir, I have got nothing more to say but to join in the prayer of His Excellency who said, "I pray that your may be blessed with sound judgment by the Almighty for arriving at the right conclusion in all these matters" and in the words of the Koran, viz., Ehedna Seratul mustaqim.

إهدنا الصراة المستقيم.

And in the words of the "Bhagbat Gita", viz.

তেন ব্রহ্মহৃদা য আদিকবয়ে
মুহ্যন্তি যৎ সূরয়ঃ,
ধাম্নাস্বেন সদা নিরস্তকুহকং
সত্যং পরং ধীমহি।

which means "I contemplate and worship that Eternal Truth that Supreme Soul who created consciousness in the heart of the original poet, the Brahman who by the manifestation of his own light drives away darkness

and ignorance". Therefore, I pray to God—O Lord, lead our friends over there to the true path and drive out darkness and ignorance from the minds of our friends over there who are intoxicated with power.

Sir, the heart-rending distress and calamity which have overtaken Assam certainly claim our full sympathy. We must show our brotherly feelings and sympathy for them and I would request the Premier to open a fund to help the distressed people of Assam. .....(A VOICE: What would you pay?)..... I cannot say what I shall pay but certainly I shall pay according to my might.

Now, Sir, the Delhi Pact is the first point taken up by His Excellency in his speech. The unfortunate happenings in both Bengals led the Prime Ministers of India and Pakistan to conclude the Delhi Pact. His Excellency has said that nearly 40 lakhs are not returning to their homes in East Bengal. Sir, after the Delhi Pact what can be the reason for their failure to return to their hearths and homes I do not know. There must be some reason for that. If we go through the reports which have been circulated and submitted by the Minority Ministers of both Bengals and also by the big leaders of the Congress, we find that they are all unanimous on the point that normal conditions have been restored in both Bengals. If normal conditions have been restored and everything is going on well, what is the reason which prevents these forty lakhs of people from going over to East Bengal? The reason is the psychological reason and what is that psychological reason behind it? People coming from East Bengal generally come to me and other friends and propose to us to take their property in East Bengal and give them in exchange our property here.

Then some of my friends said "Why should we go to East Bengal? That is not our birth-place. We were born in West Bengal. Our forefathers and fourteen generations were born in West Bengal, lived in West Bengal and died in West Bengal". I also mean to live in West Bengal and die in West Bengal as my fourteen generations have died in West Bengal. We said "If there be tyranny, if there be oppression, we will try to oppose them and try to make them right, but we are not going to leave our place of birth or our hearths and homes and take from you in exchange your properties in East Bengal".

Then some questions were put to the gentleman concerned who is a landed magnate and also an educated man. "Why don't you return to your land of birth—East Bengal?" He said that there was no oppression whatsoever. "Was any oppression committed upon you?" He said "No". "Then are you panicky and fear that oppression will be committed in future upon you?" He said "No." "Then what are the reasons?" He said "The reason is we the Hindus of East Bengal, we the Caste Hindus of East Bengal, were the real rulers of the country, were the real rulers of East Bengal. We were the zemindars, we were the landlords, we were the merchants, we were the money-lenders, we were the jotedars, we were the pleaders, we were the muktears, we were the doctors and officials and in every walk of life we had our domination and we felt the change. Now after this partition our position is different. The fact is that the Muslims—the so-called Muslims—who were our servants and labourers and nothing else, who were something like serfs and helots, now after partition these serfs and these helots are raising their heads and do not obey us, do not honour us. Therefore, in the face of this we cannot remain there and we must go to a place where we shall be honoured." That is the reason. That is a psychological reason. This is not due to oppression. They were zemindars, doctors, pleaders, muktears, merchants, industrial magnates, commercial magnates and everything, but now they are not in a position to dominate. They say "We are

not going to be honoured, we are not going to be looked upon with respect. Therefore, we are not going to live there." That is the reason why they don't return.

Now, if the West Bengal Government, Sir, induce these people and say "Well, we will help you in ev ry way; we will rehabilitate you, we will pay you money, we will give you land and give you everything; don't go to the land of your birth," naturally they will not go. So, it is by Government inducement, by their attempts to help them and doing sundry other things, these gentlemen are prevented from going over to their places. Therefore, my submission to you, Sir, is, let the Government of West Bengal change their mind, let them change their tactics, and I request West Bengal Government not to side with Dr. Syamaprasad Mookerjee and help him and prevent the so called refugees from going over to East Bengal. Sir, if you do not give them quarters.....

(At this stage the red light was lit.)

Mr. SPEAKER: Order, order. Your time is up.

Janab MUDASSIR HOSSAIN: Sir, in a few minutes I shall finish.

Mr. SPEAKER: How many minutes do you want?

Janab MUDASSIR HOSSAIN:: Another 10 minutes.

Mr. SPEAKER: No.

Janab MUDASSIR HOSSAIN: Then another 5 minutes.

Mr. SPEAKER: You try to finish in two minutes.

Janab MUDDASSIR HOSSAIN: I pray that you may be pleased to give me 5 minutes.

Mr. SPEAKER: Go on.

Janab MUDASSIR HOSSAIN: This is point No. 2. Then, food situation in the province—that is my proper subject. Food situation, financial position—these are my favourite subjects. I have said more than once and have been crying hoarse over the matter that production of the country can only be increased if you adopt co-operative agriculture—the method which has succeeded in Russia, the method which has succeeded in Germany, the method which has succeeded in Finland, the method which has succeeded in Holland, the method which has succeeded in France, the method which has succeded in Italy, the method which has succeeded in Ireland and in other countries, but instead of taking to co-operation, agricultural co-operation, industrial co-operation and other notable co-operations, you are doing what? You are spoon-feeding persons who have got no constructive ideas, who do not know how to work. As I have not got much time, I shall be very brief in this matter. Adopt co-operative method and induce even your so-called refugees who are not refugees at all to come within the orbit of this co-operative organisation and all things will go on well. In Germany, as I have informed this House more than once, a five-year plan was made and in five years the production was doubled. That happened in France also, that too happened in Finland, a similar state of things happened in Holland. (The Hon'ble Dr. BIDHAN CHANDRA ROY: In Honolulu?) Honolulu is savage like yours. Point three finished. (Laughter.)

Now, roads and means of communication. Who is the Roads Minister? Sri Bhupati Mazumdar replied that he is the Minister. I have told my friend several times that for roads you have not got enough money. You

cannot make enough roads and means of communication with the money at your disposal. Adopt co-operative method. You adopt the same method which was adopted by Hitler. Hitler conscripted labour. I also say that the Maurakshi engineers are not getting labourers. Your 40,000 people from East Bengal are roaming about. Why don't you take them and employ them. If these * * * don't want to work, you will.....

Janab MD. KHUDA BUKHSH: On a point of order, Sir. I do not know, he has just used an expression which is unparliamentary.

Janab MUDASSIR HOSSAIN: That is not unparliamentary.

Mr. SPEAKER: It is unparliamentary. You cannot use it.

Janab MUDASSIR HOSSAIN: Then I would say these men are idlers. These people do not like to work. Independence means hard work and nothing else. These men who do not like to work for the good of the country are so many * * *.

Mr. SPEAKER: Don't use that word any more.

Janab MD. KHUDA BUKHSH: Sir, I am very sorry that the honourable gentlemen still insists on using that particular word which you have ruled as unparliamentary. May I suggest that the word should be expunged from the proceedings?

Mr. SPEAKER: All right. Yes, Mrs. Husan Ara Begum.

Janab HUSAN ARA BEGUM: Mr. Speaker, Sir, while congratulating His Excellency on his most excellent speech, I must thank you for giving an opportunity to the members to express their views. I shall say a few words on this most important speech.

The year 1950 has begun with a series of calamities, earthquakes, floods, overwhelming refugee problem, problem of evacuees. West Bengal groaning under these problems has had to face an upheaval of the worst type. I do not want to deal with the policy of the Government. My honourable brothers of this House have given suggestion on rehabilitation of refugees and have drawn the attention of the Government to the relief, settlement and rehabilitation of the returning Muslim evacuees or restoration of the homes and lands left by them during the recent trouble in West Bengal, especially in Calcutta. While congratulating the Prime Ministers of India and Pakistan for their far-sightedness on signing the historical Nehru-Liaquat Ali Pact for restoring harmonious feeling between the people of both Dominions, who had been further torn asunder by the recent happenings in both Bengals, the conflagration was also spreading to other parts of India. This notable agreement by both the Prime Ministers have poured oil on troubled waters and thereby saved the people from further destruction.

The eyes of the world were turned towards Delhi, in the beginning of April. The peace lovers were praying for peaceful settlement and tranquility to enable them to live in peace.

Immediately after the pronouncement of the signing of this memorable agreement the people of both Dominions heaved a sigh of relief. The situation which had been deteriorating rapidly from day to day becoming uncontrollable by the Government suddenly took a turn and there is hope for further improvement. There is an apprehension in certain quarters that this agreement will not be honoured by Pakistan. I may point out that the present agreement is not like previous agreements done in a leisurely way. This pact has come into existence through the tears and sufferings of the people of India and Pakistan. Can we for a moment pause and put our

memories back to February 1950 when Liaquat Ali Khan was not willing to make a joint tour of the affected areas with Pandit Jawaharlal Nehru, and when in April the same Prime Minister came to Delhi to prove his sincerity of purpose and determination on the most burning problem of uprooted humanity, of people who were fleeing from their hearths and homes. Was this not Providential? A few days after the signing of this agreement, the Prime Minister of India showed his fraternity by going to Pakistan in reciprocation of his good will to the people of Pakistan. This masterly stroke by both the Premiers has strengthened the bonds of friendship of the people of both Dominions. To implement this pact both Governments have agreed to set up a machinery for supervision of the implementation of the agreement, and to take necessary steps against any breach of the agreement. Minority Commissions have been formed in both Dominions, and the Ministers of India and Pakistan have begun their joint tour to have personal knowledge of the incidents that have occurred.

May I, Mr. Speaker, Sir, speak a few words in Urdu or Hindi? Both are almost the same language; only the signs are different.

Mr. SPEAKER: You can speak in Urdu if you like.

Janab HUSAN ARA BEGUM : میں اسوقت آپکا شکریہ ادا کرتی ہوں تاکہ ہمارے بھائی یہہ نہ سمجھیں کہ یہاں کوئی بھی ملکی زبان میں بولنے والا نہیں ہے - ہر ملک کی ایک زبان ہوتی ہے اور ہم اسکی قدر کرتے ہیں - میں انکا اور بھی مشکور ہوں کہ اُنہوں نے ایسی زبان کے بارے میں کہا جس زبان کو ہمارے پنڈت جواہر لال نہرو نے کلکتہ کے عام جلسوں میں برابر استعمال کیا اور ہم لوگوں کو ان پر فخر ہے - دوسرے اسوقت جو ہمارے His Excellency گورنر ہیں، اُنہوں نے بھی اکثر موقع پر ہندی یا اردو میں جو ایک ہی زبان ہے، صرف بھاشہ کا فرق ہے، استعمال کیا ہے - میں اسوقت آپکا زیادہ وقت گنوانا نہیں چاہتی ہوں صرف چند بات آپ لوگوں کے سامنے اپیل کے طور پر کہتی ہوں - جو ہو گیا وہ ہو گیا - اب ہمیں کیا کرنا چاہئے - اسوقت Nasik Congress کے اندر جو بات دیکھی گئی وہ یہہ کہ اپنے باپ کے بہادر سپوت پنڈت جواہر لال نہرو نے کھڑے ہوکر جو بیچارے مسلمانوں نے لئے جو backward class کہلاتے ہیں کہا ہے اور اطمینان دلایا ہے اس سے ہمارگوں کو کافی بھروسہ ہوتا ہے - مسلمان سہمے ہوئے تھے، بقرعید کے موقع پر سب لوگ ڈرے ہوئے تھے، اسکا اندازہ رہی کر سکتے ہیں جن پر گذرتی ہے - ہم Minority میں آپ

Majority ہیں' آپ rulers ہیں اور ہم ruled ہیں' کتنا فرق ہے - لیکن پھرسہ ملک کے گورنمنٹ پر کرتے تے - مگر دل مین ڈر تھا کیونکہ چند مہینے پہلے اُن لوگوں پر مصیبتیں آچکی تھیں اور کچھہ باتیں ایسی بھی ہوئیں جس سے انکے دلون میں خوف تھا انکو ڈر معلوم ہوتا تھا حالانکہ ہمارے Chief Minister نے تسلی دی' جہانتک اُنکے اختیار میں ہے اُنہون نے مدد کی اور میں امید کرتی ہوں کہ وہ برابر مدد کرتے رہینگے - لیکن یہہ آسان نہیں ہے - کیونکہ ملک میں الگ الگ خیالات کے لوگ ہیں - مگر مجھے یقین ہے کہ اگر گورنمنٹ Firm hand سے کام کرے تو جو کچھہ بچے ہوئے ہیں وہ اطمینان سے رہ سکیں - مگر یہاں تو گھروں کے ساتھہ گھن بھی پس جاتے ہیں - ان سب ہونے کے بعد جو مسلمان پاکستان سے کلکتہ لوٹ کر آرہے ہیں وہ رہ سکیں - ہم مسلمان پنڈت جواہر لال نہرو کا شکریہ ادا کر سکتے ہیں کہ جسطرح سے اُنہوں نے ہمت کر کے Statement دیتے ہوئے Nasik پہونچے اور اُن لوگوں سے اس بات کو منوایا کہ Minority اور خاص کر کے مسلمانوں کا حق ہندوستان میں ہے اور اُنلوگوں کی حفاظت (Protection) گورنمنٹ ہر طرح سے کریگی - اس سے مسلمانوں کو بڑی ہمت ہوئی - جن کے پاؤں اکھڑ گئے تے' جو دل میں ڈر رہے تے وہ پھر اس ملک میں پختہ ارادہ کر کے رہنے لگے - ابھی وقت بہت کم ہے اور ہمارے چند بھائیوں نے مسلمانوں کی حالت' مسلمانوں کی مصیبت بیان کیا ہے - مگر میں آپ لوگوں کے سامنے بغیر کچھہ اُن استریوں اور بچوں کے بارے میں (I will not be true to my trust) کہے نہیں رہ سکتی - جو لوگ مصیبت میں پڑ کر ملک چھوڑ کر چلے گئے تے' کیونکہ انکے گھر والے گئے تے' انکو بھی جانا پڑا' اب وہ لٹ لٹ کر آگئے ہیں' اس Pact کی وجہہ سے آگئے ہیں - انکے گھر انکو واپس مل جائیں کیونکہ اسوقت بغیر گھر کے ہیں - لہذا میں آپ لوگوں سے اپیل کرتی ہوں کہ ایک

United effort کر کے ان لوگوں کے مکانات ان کو واپس دلائیں - جس جگہ وہ پیدا ہوئے ہیں وہ انکے لئے پوتر ہے - پاکستان میں جانے والے پاکستان چلے گئے مگر جو ہندوستان میں رہیں وہ جیسے خوشی سے رہ سکیں - It will not be out of place to mention کہ ہمارے مذہب میں ہے' دھرم میں ہے کہ جو حکومت کرے اگرچہ غلام بھی حاکم ہو تو اسکو ماننا چاہئے - ہم حکومت کے خلاف نہیں ہیں - ہم صرف انصاف چاہتے ہیں - میں مہاتما گاندھی کے نام سے اپیل کرتی ہوں (Mahatama Gandhi who will live for ever in the annals of India) جن کے سبب سے آپلوگوں کو آزادی ملی' جنکا نام لیکر اکثر آپ لوگ Platform میں کھڑے ہوتے ہیں' جب آپلوگوں پر کوئی مصیبت آتی ہے تو انکا نام لیکر آپ لوگ آگے بڑھتے ہیں' میں بھی انہیں کے نام سے اپیل کرتی ہوں کہ جیسا کہ Nasik کانگریس نے Unanimously پاس کر دیا ہے کہ مسلمانوں کو Protection ہونا چاہئے میں آپلوگوں سے کہنا چاہتی ہوں کہ ہم لوگ اسوقت Bengal State میں ہیں' آپلوگوں کے ہاتھ میں Legislature ہے' آپ کے ہاتھ میں ہماری destiny ہے' میں Chief Minister سے اپیل کرتی ہوں کہ وہ اسطرف خیال کریں

to give shelter to the returning Muslims who are bereft of their homes and loitering in the streets and are knocking at doors with their women and children for shelter. In their name I appeal to the Chief Minister personally and I hope my appeal will not go in vain.

Sj. KANAI LAL DE : সভাপাল মহাশয়--মাননীয় রাজ্যপালের বক্তৃতা আমরা মনোযোগের সঙ্গেই শুনেছি। তিনি দেশের বর্ত্তমান অবস্থা সম্বন্ধে তাঁর বক্তৃতায় অনেক কথাই বলেছেন। আমাদের পশ্চিমবঙ্গ রাষ্ট্র যে সমস্ত কাজ হাতে নিয়েছেন ও তাঁরা কতদূর অগ্রসর হতে পেরেছেন, তা এই বক্তৃতার মধ্যে তার কিছু কিছু আভাস পাচ্ছি। আমরা তাঁর বক্তৃতা থেকে জানতে পেরেছি যে বর্ত্তমানে প্রায় ৪০ লক্ষ উদ্বাস্তু, যারা পূর্ব বাংলা থেকে পশ্চিম বাংলায় এসেছে, তাদের প্রায় ১১ লক্ষর পুনর্বাসন সম্পূর্ণ হয়েছে, কিন্তু এখন পর্য্যন্ত স্বাবলম্বী ও সামাজিক জীবনযাত্রা নির্বাহ করবার মত ব্যবস্থা হয়নি। এখনও প্রায় ৩০ লক্ষ উদ্বাস্তু, উদ্বাস্তু Campএ বা এখানে সেখানে ছড়িয়ে রয়েছে, তাদের পুনর্বাসন ব্যবস্থা করা অত্যন্ত কঠিন কাজ এবং শীঘ্র না করতে পারলে তাদের দুঃখের শেষ হবেনা। এই কারণে তাদের মধ্যে একটা অসন্তোষ সৃষ্টি হচ্ছে। সেইজন্য আমাদের সরকার যাতে খুব তৎপরতার সঙ্গে এই উদ্বাস্তুদের পুনর্বাসনের ব্যবস্থা করতে পারেন, তার জন্য সচেষ্ট হতে হবে। জনসাধারণ সরকারের সঙ্গে সম্পূর্ণ সহযোগিতা করছে। সম্প্রতি প্রত্যেক জেলায়, ইউনিয়নে ইউনিয়নে কয়েকটি করে উদ্বাস্তু পরিবার পাঠানর ব্যবস্থা হয়েছে। গ্রামের জনসাধারণ আন্তরিকভাবে তাদের সাহায্য করছেন। এবং তার ফলে তাদের সেখানে বাস করা সম্ভব হয়েছে। কিন্তু দুঃখের বিষয় এই সমস্ত উদ্বাস্তুদের মধ্যে অনেকেই চলে আসছে।

আমি একটা জেলার কথা বলছি, বাঁকুড়া জেলার কথা --যে সমস্ত উদ্বাস্তু পরিবার সেখানে গিয়েছিল, তাঁর মধ্যে অনেকেই সেখান থেকে অন্য জায়গায় চলে যাচ্ছে--এই উদ্বাস্তুরা পূর্ব বাংলায় ফিরে গেলে ভালই হোত, কিন্তু তারা পূর্ব বাংলায় যাচ্ছে না, এক জেলা থেকে অন্য জেলায় চলে যাচ্ছে। এর ফলে সরকারের বহু অর্থ অপব্যয় হচ্ছে। এরা কিজন্যে চলে যাচ্ছে সে সম্বন্ধে অনুসন্ধান করা দরকার। আমার মনে হয় এই সমস্ত বাস্তুহারারা এখনও ঠিক করতে পারছে না যে তারা পশ্চিমবঙ্গে স্থায়ীভাবে বাস করবে কি না। উদ্বাস্তু Campএ যখন তারা থাকে তখন ভালভাবে তাদের মতামত জেনে নিয়ে তারপর পল্লীগ্রামে পাঠান উচিত। তা না করলে অনর্থক যাতায়াতে দেশের অর্থ নষ্ট হবে। এবং গ্রামেও যারা তাদের থাকবার স্থান দিয়েছে, টাকা পয়সা ব্যয় করেছে, উদ্বাস্তু পরিবারগুলি যদি চলে যায়, তাহলে তাদের কাছ থেকে পুনরায় সে সহানুভূতি পাওয়া যাবে না। এই সমস্ত উদ্বাস্তু ছাত্রদের শিক্ষার জন্য dispersal schemeএ অনেক টাকা দেওয়া হচ্ছে এবং অনেকগুলি নূতন শিক্ষাকেন্দ্র স্থাপিত হয়েছে। এখন দেখা যাচ্ছে কলকাতা সহরে ছাত্রদের ভীড় অনেক বেড়ে গিয়েছে। এক একটা কলেজে--৭।৮ হাজার ছাত্র--সকালে, দ্বিপ্রহরে, রাত্রে class, ব্যবসাদার ও দোকানদারদের মত সেখানে কাজ চলছে। এই যে ছাত্রদের এত ভীড়, এই ভীড় বহু পরিমাণে উদ্বাস্তু ছাত্ররাই বাড়িয়েছে। এই ভীড় যাতে না বাড়ে তার ব্যবস্থা করা দরকার। এই সব উদ্বাস্তু ছাত্রদের মফঃস্বলে পাঠান দরকার। এইবার পাসের হার খুব কম হওয়ায় মফঃস্বল কলেজগুলিতে খুব কম ছাত্র ভর্তি হয়েছে। সেইজন্য মফঃস্বল কলেজগুলি খুব টানাটানি অবস্থার মধ্যে পড়েছে। অনেক কলেজে উপযুক্ত অধ্যাপক রাখা সম্ভব হচ্ছে না এবং কোন কোন কলেজে কতক অধ্যাপককে ছাড়িয়ে দেওয়া হয়েছে। কলকাতার কলেজে ছাত্রের ভীড় বাড়ছে অথচ মফঃস্বল কলেজে ছাত্র জুটছে না। এই অবস্থা হওয়া উচিত নয়। এইজন্য dispersal schemeএ কতকগুলি কলেজকে মোটা grant দিলেই কাজ শেষ হবে না। উদ্বাস্তু ছাত্ররা এখান থেকে গিয়ে মফঃস্বল কলেজে ভর্তি হচ্ছে কি না দেখা দরকার ও এমন কিছু ব্যবস্থা করা দরকার যাতে recommend করলে ছাত্ররা মফঃস্বল কলেজে যেতে উদ্বুদ্ধ হয়। ছাত্ররা মফঃস্বল কলেজে গিয়ে ভর্তি চান এবং কলেজের অধ্যক্ষ সরকারের নিকট তা জানালে ঐ সকল ছাত্র কিছু কিছু বৃত্তি পাবে এইরূপ ব্যবস্থা করা হলে কলিকাতায় ছাত্রের ভীড় কমবে এবং dispersal schemeএ ছাত্ররাও যথার্থ উপকৃত হবে।

তারপর রাজ্যপাল মহোদয় পশ্চিমবঙ্গের স্বাস্থ্য সম্বন্ধে বলেছেন। তিনি বলেছেন গত বৎসর ৬০টা ইউনিয়ন ডিস্‌পেন্সারী করা হয়েছে এবং এই বৎসরে আরও ৬০টি খোলা হবে। বাংলা দেশে ম্যালেরিয়া ও অন্যান্য রোগের প্রকোপ কম নয়, সেখানে প্রত্যেক ইউনিয়নেই হাসপাতাল হওয়া উচিত যাতে পল্লীগ্রামের লোকেরা চিকিৎসার সুযোগ পায় সে বিষয়ে যথাসম্ভব সহর ব্যবস্থা করা দরকার। বাংলায় প্রায় দুই হাজার ইউনিয়ন আছে যদি প্রতি বৎসর মাত্র ৬০টা করে হাসপাতাল হয় তাহলে প্রতি ইউনিয়নে হাসপাতাল হতে অনেক বছর লেগে যাবে। আর একটি হাসপাতালই সব ইউনিয়নের পক্ষে পর্য্যাপ্ত নয়, কারণ অনেক ইউনিয়নের পরিধি অনেক জায়গায় ১২।১৪ মাইল পর্য্যন্ত বিস্তৃত এবং কোন কোন ইউনিয়নে ১০।১৫ হাজার লোক আছে। এইজন্যে বহু সংখ্যক পল্লী স্বাস্থ্যকেন্দ্র প্রতিষ্ঠার চেষ্টা করা উচিত। ইউনিয়ন ডিস্‌পেন্সারির গৃহাদি নির্মাণ জন্য অনেক টাকাই জন-সাধারণ দিয়ে থাকেন। সরকারকে সব খরচ বহন করতে হয় না। ওষুধের ব্যয় ও ডাক্তার, কমপাউণ্ডার ও নার্সের বেতন দিলেই এই সমস্ত ডিস্‌পেন্সারি চলতে পারে।

স্বাস্থ্য সম্বন্ধে রাজ্যপাল মহাশয়ের বক্তৃতায় একটী বিষয়ের উল্লেখ নাই--সেটী আমাদের পশ্চিমবঙ্গের কুষ্ঠ-রোগ। দিন দিন পশ্চিমবঙ্গে কুষ্ঠরোগ বেড়েই চলছে। একমাত্র বাঁকুড়া জেলাতেই ১৩ লক্ষ লোকের মধ্যে প্রায় ৬৫ হাজার লোকই কুষ্ঠরোগাক্রান্ত। মেদিনীপুরেও কুষ্ঠ রোগ কম নয়, বীরভূমে আছে এবং অন্যান্য জেলায়ও কম বেশী আছে। আমার মনে হয়, সমস্ত দেশের হিসাব ধরলে কুষ্ঠ রোগীর সংখ্যা ৩।৪ লক্ষে দাঁড়াবে। এই রোগ আমাদের দেশে প্রত্যেক বৎসর বেড়েই চলেছে। এই ভয়াবহ অবস্থার প্রতি সরকারের দৃষ্টি আকর্ষণ করছি। কুষ্ঠ রোগের প্রতিকারের জন্য আজ পর্য্যন্ত কার্যকরী কোন ব্যবস্থা অবলম্বন করা হয় নাই। এই কুষ্ঠ রোগ কেন হয়, সে সম্বন্ধে অনুসন্ধান করা দরকার, এবং সেজন্য বিশেষজ্ঞ চিকিৎসকগণের সাহায্যে গবেষণাগার স্থাপন করা প্রয়োজন এবং তা বাঁকুড়া জেলাতেই স্থাপন করা উচিত। এই রোগ যদি অচিরে দমন করা না যায় তাহলে দেশে ভীষণ অবস্থার সৃষ্টি হবে। গত ৩০ বৎসরে কুষ্ঠরোগ ১০ গুণ বেড়ে গিয়েছে। বাঁকুড়া জেলায় একটি গ্রামে ৩০ বৎসর আগে ৩ জন রোগী ছিল, এখন সেখানে ৩২ জন কুষ্ঠ রোগী হয়েছে। তাহলে এরপর যে কি অবস্থা হবে সেটা বিবেচনা করে দেখুন। আমাদের অতি বিচক্ষণ চিকিৎসক--স্বাস্থ্য ও প্রধান মন্ত্রী মহাশয়কে

আমি সানুনয় অনুরোধ করছি তিনি যেন অবিলম্বে এ বিষয়ে প্রতিকার করবার ব্যবস্থা অবলম্বন করেন। হাঁকুড়ায় সামান্য একটা কুষ্ঠাশ্রম আছে এবং সেখানে কতকগুলি কুষ্ঠরোগীকে রাখা হয়েছে মাত্র। কিন্তু এতেই কুষ্ঠরোগ নিবারণ হবেনা। আরও ব্যাপক ব্যবস্থা প্রয়োজন। আমরা দুঃখের সঙ্গে লক্ষ্য করছি, যে আমাদের দেশে একটা অসন্তোষ বেড়েই চলেছে--চোরাকারবারের ব্যাপারে। জনসাধারণের ধারণা হয়েছে যে এটা চোরাকারবারীর রাজত্ব হয়েছে। এটা সরকারের পক্ষে ও কংগ্রেসের পক্ষে অত্যন্ত ক্ষতিকর।

চোরাকারবার বন্ধ করবার জন্য নানারকম আইন প্রণয়ন করা হয়েছে তথাপি সরকার যদি এই চোরাকারবার বন্ধ করতে না পারেন তাহলে আমাদের পক্ষে লজ্জার কথা। এই চোরাকারবারের ফলে জনসাধারণের অসম্ভব রকম কষ্ট হচ্ছে। তারপর জিনিষপত্রের control; কতকগুলি জিনিষের control তুলতে হবে। বোধ হয় চিনির control তুলে দেওয়া যেতে পারে। এখন যে পরিমাণ চিনি সমগ্র রাষ্ট্রে দেওয়া হয় কন্ট্রোল তুলে দিলেও তার চেয়ে বেশী চিনির প্রয়োজন হবে মনে হয় না। কলকাতা সহরে রেশনে যে চিনি দেওয়া হচ্ছে, তার মধ্যে অন্ততঃ দশ লক্ষ লোকের চিনি ব্ল্যাক মার্কেটে বিক্রী হয়। চিনির control তুলে দিলে যাদের প্রয়োজন মাত্র তারাই চিনি কিনবে, যারা রেশনে চিনি নিয়ে black-marketএ বিক্রি করে তাদের আর সে সুযোগ হবে না অথচ এখন মোট যে পরিমাণ চিনি দেওয়া হচ্ছে, তার দ্বারাই অভাব মিটতে পারে, মনে হয়। যদি চিনির কন্ট্রোল তুলে দিলে জনসাধারণের সুবিধা হয় তবে কন্ট্রোল তুলে দেওয়া উচিত।

Sj. SIBNATH BANERJEE : Mr. Speaker, the blue light has lasted 4 minutes already. Let him finish to morrow.

Mr. SPEAKER : Mr. De, your time is up. I cannot allow you any further time.

The Hon'ble Dr. BIDHAN CHANDRA ROY : One minute.

Sj. KANAI LAL DE : তারপর কাপড়ের কথা বলতে চাই। দুই সপ্তাহ পূর্বে কেন, এখনও কলকাতা সহরে অনুমোদিত দোকানে ছাপা দামে কাপড় পাওয়া যায়না। অথচ রাস্তার ফেরীওয়ালাদের ও এক একটা ছোট দোকানে ভাল কাপড়, ছাপা দামের উপর নগদে আড়াই টাকা দাম, প্রতি জোড়ায় বেশী দিলেই পাওয়া যায়। দোকানীকে জিজ্ঞাসা করলে বলে, আমরা কি করবো বলুন? মাল এনেছি বেশী দরে। বড় বড় ব্যবসায়ীরাই দাম বেশী নিচ্ছে, আমরা গরীব দোকানদার কি করতে পারি। কাপড়ের এই যে একটা দুরবস্থা রয়েছে সে সম্বন্ধে বিশেষভাবে অবহিত হওয়া প্রয়োজন। যে মূল্যে ছাপ দেওয়া হচ্ছে সে দামে কাপড় পাওয়া যাচ্ছে না, এর মধ্যে কাপড়ের কলওয়ালাদের ও বড় বস্ত্র ব্যবসায়ীদের হাত আছে। অথচ সরকার থেকে দাম কমাবার জন্য সর্বপ্রকার চেষ্টা হচ্ছে বলা হয়। সরকার যদি এ ব্যাপারের প্রতিকার না করেন তাহলে জনসাধারণের অত্যন্ত ক্ষোভের কারণ ঘটবে। (The red light was shown at this stage.)

Mr. SPEAKER : Order, order. Before I adjourn the house....

Sj. KANAI LAL DE : আমি আর একটু সময় চাই।

Mr. SPEAKER : আপনাকে অনেক সময় দেওয়া হয়েছে আর দিতে পারি না।

Sj. KANAI LAL DE : আর পাঁচ মিনিট, Sir.

Mr. SPEAKER : I am sorry. Please sit down.

Sj. KANAI LAL DE : Only two minutes, Sir.

Mr. SPEAKER : Please finish it within one minute.

Sj. KANAI LAL DE : প্রায় শেষ করে এনেছি। মাত্র এক মিনিট সময় নেব। তারপর সাম্প্রদায়িকতা সম্বন্ধে দুই একটি কথা বলতে চাই। আমাদের দেশ থেকে সাম্প্রদায়িকতার বিষ এখনও সম্পূর্ণ দূরীভূত হয়নি। কোন কোন সহরের দুই একটি স্থানে, যে সাম্প্রদায়িক দুর্ঘটনা ঘটেছে, সে সম্বন্ধে আমাদের সকলেরই অবহিত হওয়া উচিত। এরকম মর্মান্তিক দুর্ঘটনা যাতে না ঘটে, সে সম্বন্ধে সরকার যেন বিশেষভাবে সতর্কতা অবলম্বন

করেন। কারণ এখনও কোন কোন স্থানে সাম্প্রদায়িকতার ভাব রয়েছে। গত riotএর সময় কোন কোন উচ্চপদস্থ রাজকর্মচারী ও কতকগুলি পুলিশ কর্মচারীদের সাম্প্রদায়িক মনোভাবাপন্ন হতে দেখা গিয়েছে। সেজন্য সাম্প্রদায়িক গোলযোগ প্রসার লাভ করেছিল। যদি তা না হতো, তবে আরও পূর্বেই এই riot বন্ধ হ'তে পারতো। যে সকল সরকারী কর্মচারী ও পুলিশ কর্মচারী এভাবে রাষ্ট্রের সুনাম নষ্ট করে ও কর্ত্তব্য পালনে অবহেলা করেছে, তারাই হয়ত রাষ্ট্রের মৌলিক উদ্দেশ্য বানচাল করবে, অত্যন্ত দৃঢ়তার সহিত তাদের বিচার করা উচিত ও দোষী সাব্যস্ত হলে নির্ম্মম শাস্তি (severe punishment) দেওয়া উচিত, কিন্তু এ বিষয়ে বিশেষ কোন চেষ্টা হয়নি। আমি সরকারকে এদিকে লক্ষ্য দিতে অনুরোধ করি।

Ruling on the Point of Privilege raised by Sj. Bimal Comar Ghose.

Mr. SPEAKER: The debate will be continued tomorrow and the Ministers will give replies to all the points that have been raised in this House. There will be no questions tomorrow. Before we adjourn I wish to dispose of the question of privilege which has been raised by Mr. Bimal Comar Ghose.

No doubt the rules provide that 21 days' notice should be given of any Bill which the Government wants for consideration and the copies of the Bill should be in the hands of the members at least 15 days before the date on which consideration should take place. I regret that this rule is not being observed in spite of reminders by circulars as well as my mentioning this matter in the House. As a matter of fact I find that on the 13th September this office sent a circular to all the Secretaries of the Government drawing their attention to this rule, and even prior to that in 1949 and also in January 1950 circulars were issued drawing the attention of the Secretariat that these rules should be observed. But, unfortunately, I find that these rules are not being given the importance which, I believe, the Secretariat should give. Members of this House are entitled to a reasonable time for consideration of the Bills which are presented before the House, and as a matter of fact, in the interest of the proper consideration of the Bills it is necessary that those members who wish to apply their mind to the various provisions of the Bills should be given a reasonable opportunity to consider the various clauses. This will, in my opinion, obviate a good deal of criticism which is at present being levelled against enactments passed by this House. I don't say that that will be entirely eliminated, but certainly it should be the endeavour of this House and the members thereof that a Bill which gets out of the House is not ultra vires, that is, beyond the power of legislature. For this reason I do believe and I wish to draw the attention of the Government once more and very seriously that it is their duty to see that the rules are observed and the Speaker has not to suspend the rules every time in order to accommodate the Government. As a matter of fact in this Session I find that there was only one Bill of which due notice was given in time according to the rules and as regards all the other Bills notices were not given in time. I will, therefore, draw the attention of the Chief Minister to this state of affairs, and I do believe that it is not the intention of the Government to belittle this Legislature that in spite of repeated circulars they do not give notice of these Bills in time and we have to face the members' criticisms in this House.

So far as these two Bills are concerned—Sales Tax Bill and the Rent Bill—I find that on the 20th September the Sales Tax Bill was published in the gazette. On that very day we received notice, and on the second day we received the Bill, and on the 22nd we circulated the Bill to the members asking for amendments. The time for amendments was allowed up to 29th September, 3 p.m. and the Bill will be coming up for consideration on the 30th. Therefore, as a matter of fact, members have got seven days' time to consider the amendments of the Sales Tax Bill though it does not conform

to the rules which are now in force. But considering the position and the situation, I feel that this time should be taken as sufficient for the time being; at the same time I will ask the Government to consider as to whether further time can be given for amendments and whether this Bill can be postponed for some later date for consideration.

With regard to the Rent Control Bill I regret to say that the position is certainly worse. We received notice of consideration on the 26th. The Bill was received on the 27th by our office and on that very day notice was given to the members for amendments giving them time up to 3 p.m. on the 28th September, and the Bill is coming up for consideration on the 29th. Today is 27th and the time for amendments expires tomorrow by 3 p.m. I, therefore, extend the time for sending amendments for the time being with regard to this Bill till 1 p.m. on the 29th. And I shall also contact the Chief Whip of the Government to consider as to whether any revision of the programme can give more time to the honourable members for consideration of these two Bills.

With regard to the Sales Tax Bill a request has come to this effect that an uptodate amended copy of the Bill should be supplied to the members along with the Bill. I regret to observe that I cannot agree to this proposition, because in that case whenever there is an amendment of a Bill, a copy of the Bill amended up to date will have to be supplied. That will be a very difficult proposition and I do not think that members are entitled to insist upon the same. Of course, it is for the Government if they so desire to supply copies of such Bills if there be any amendment Bill. What is in my power to do is this: I consider that the copy which is in the Library contains all amendments of the Sales Tax Bill up to date and that will be available to the honourable members, say by 3 p.m. tomorrow, and any honourable members who wish to avail themselves of that copy will be able to avail of it. There will be three or four copies available. So far as the Assembly Department is concerned, and so far as I am concerned, that is all that I can do for the time being. I do hope that Government will give due consideration to these grievances of members which are justified and certainly they are entitled to more time for consideration of these Bills.

Sj. SIBNATH BANERJEE: Our sincere thanks to the Speaker for these observations.

Adjournment.

The House was then adjourned at 7-15 p.m. till 4 p.m. on Thursday, the 28th September, 1950, at the Assembly House, Calcutta.

Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 28th September, 1950, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble ISWAR DAS JALAN) in the Chair, 11 Hon'ble Ministers and 57 members.

Statement by the Chief Minister on the Point of Privilege raised on 27th September, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Mr. Speaker, Sir, I desire with your permission to make a statement before the House with regard to the incident about which you referred yesterday.

Sir, first of all, I thank my friend Mr. Bimal Comar Ghose for drawing attention to the fact that in many cases the Secretariat has not been able to send the papers as provided for under the regulations. I offer my apologies to the members of the Assembly for this non-observance of the rules, but in many cases what has happened is that we have got to take up legislation either at the direction of the Government of India or because of a finding of the High Court of Calcutta. And therefore we do not get sufficient time always to prepare our scheme and yet in these changing times it is not possible always to wait for the next session of the legislature before putting Bills in. In other cases what has happened is that there is a good deal of delay between the time that the policy has been accepted with regard to a particular measure by the Government and the Legislative Department putting it in a proper legislative shape. In many cases we have to refer the matter to the Advocate-General. We have put it in the Constitution where there is a section, and it often happens that one word or one comma or semi-colon is objected to by the Legislative Department in view of the provisions of the Constitution and therefore there is delay. In any case, I have warned the Secretariat that in future such dereliction would not be tolerated.

In the next place Mr. Ghose has referred to two Bills—one being the Bengal Finance Sales Tax Bill about which you have given your ruling. With regard to the West Bengal Premises Rent Control Bill we have decided with your permission to postpone the consideration of this until the 4th of October. I hope this will give my friends time to consider its provisions although when it comes for actual consideration they will find that it has only a reference to a judgment of the High Court. However, it is one of those subjects in which people are interested. Therefore I would suggest with your permission that item 3 for the 29th be postponed till the 4th of October if the House agrees to it.

Sir, I have got to make another submission, and that is that a large number of our friends have found it difficult to have a meeting on the 30th September. If you will allow and if members will agree, I would suggest that all the items for 30th September may be taken over to the 4th of October, because on the 4th and 5th I find several of the Bills that have been mentioned are not yet ready as objections have been taken to some of them by the Government of India. Therefore, there will be sufficient

time on the 4th and the 5th. If necessary, we can go up to the 6th. My friends have asked me to put before you that the meeting fixed for the 30th September may be postponed, particularly because a large number of members will like to greet the new Congress President. If the House will allow and if you will permit, you may give your ruling.

SJ. BIMAL COMAR GHOSE: As regards 30th September, Sir, we are thankful to the Chief Minister for suggesting that there should be no meeting on that date. But, Sir, it is the usual custom of this House not to sit on Saturdays except during the budget session. But from what the Chief Minister said it appears that it is the usual practice to sit on Saturdays. I hope you will agree with me that it is not the usual practice of this House to sit on Saturdays except during the budget session and that we may not be required to sit on Saturdays in future unless it be during the budget session.

Now, Sir, just one word about notices. What I suggested was to observe the rules. We appreciate the difficulties of Government but since the rules are there they apply to all of us. The Assembly rules provide certain things and they should be observed. That was the submission I made yesterday.

Mr. SPEAKER: With regard to the suggestion of the Hon'ble the Chief Minister that there will be no meeting on the 30th, the agenda for the 30th will be taken out from the paper. With regard to the Rent Bill the Hon'ble the Chief Minister has agreed to postpone it till the 4th October. I hope the honourable members will get sufficient time to table their amendments.

SJ. BIMAL COMAR GHOSE: Will you fix the time till tomorrow for the amendments?

Mr. SPEAKER: No. I shall extend the time. With regard to the customary practice suggested by Mr. Ghose not to have a sitting on a Saturday, here only a mention has been made of this Saturday for which a programme had been fixed. That does not mean that we have changed our usual procedure. I also appreciate the difficulties of Government with regard to the shortness of time available to them. That has been the reason why I have always tried to accommodate them and to permit short-notice amendments being accepted by me. I thank the Hon'ble the Chief Minister for the assurance that he has given that the rules will be observed as far as possible in future and that at least reasonable time will be given for the consideration of the measures that are brought to the legislature. I for myself can assure the House that I do not desire to put any impediment to the smooth passage of the business of the House but it must be done with due regard to the convenience of members and with due consideration of the matters before the House.

Now the debate will continue.

Amendments to the motion of address in reply to Governor's Speech.

The Hon'ble KALIPADA MUKHERJEE: মাননীয় স্পীকার মহোদয়, মহামান্য রাজ্যপাল মহাশয় তার সুচিন্তিত প্রাঞ্জল অভিভাষণের মধ্য দিয়ে দেশের সম্মুখে যে সকল মূল সমস্যা আজ দেখা দিয়েছে সেই সকল সমস্যা সমাধানের উদ্দেশ্যে তিনি জনসাধারণের কাছে সহযোগিতার জন্য আকুল আবেদন জানিয়েছেন। তাই এই পরিষদ তথা জনসাধারণ তার এই অভিভাষণের জন্য তার কাছে কৃতজ্ঞতা ও ধন্যবাদ জানায়। তার অভিভাষণের মধ্য দিয়ে সমবেদনা ও সহানুভূতির সুর ধ্বনিত হয়েছে আসামের দুঃস্থ অধিবাসিদের জন্য। দেশের মধ্যে নানা প্রাকৃতিক দুর্যোগ, সামাজিক দুর্ভোগ এবং ব্যবহারিক জীবনের দুর্নীতির জন্য যারা নানাভাবে পিষ্ট ও

সৃষ্টি হচ্ছে, তাদের সকলের কাছে তার সমবেদনার বাণী তিনি পৌঁছে দিয়েছেন। কিন্তু অত্যন্ত দুঃখের বিষয় আজ আমাদের এই পরিষদের বিরোধী দলের কয়েকজন মাননীয় সদস্য বন্ধু তাঁর এই সুচিন্তিত অভিভাষণের প্রতি কটাক্ষপাত করতে কুণ্ঠাবোধ করেন নি। তিনি ভারত-পাকিস্থান চুক্তিকে অবলম্বন করে যে সুদীর্ঘ অভিভাষণ দিয়েছেন তাতে তিনি সংখ্যালঘু সম্প্রদায়ের প্রতি তার সহানুভূতি প্রকাশ করেছেন। কিন্তু দুঃখের বিষয়, ক্ষোভের বিষয়—বিরোধী দলের মাননীয় সদস্য বদরুদ্দুজা সাহেব তার প্রতি কটাক্ষপাত করেছেন—এমন কি কটূক্তি করতেও কার্পণ্য করেন নি। আজ প্রয়োজন অতীতের কথা বিস্মৃত হয়ে নূতন সুস্থ পরিবেশের সৃষ্টি করা, সংখ্যালঘু সম্প্রদায় সংখ্যাগরিষ্ঠ সম্প্রদায়ের সঙ্গে সমানভাবে এই স্বাধীন রাষ্ট্রে স্বাধীন নাগরিকের সকল সুযোগ ও সুবিধা সম্ভোগ করতে পারবে। কিন্তু বড়ই পরিতাপের বিষয় যে তাঁর সেই ওজস্বিনী বক্তৃতার মধ্য দিয়ে যতটা উচ্চাস, উদ্দীপনা দেখি, আলাময়ী ভাষার মাধ্যমে প্রকাশিত ভাবপ্রবণতা দেখি, ততটা সমবেদনা ও সহানুভূতির পরিচয় পাই না; সেখানে সত্যিকার জাতীয়তাবাদের ভিত্তির উপর প্রতিষ্ঠিত, মানুষের সমান অধিকারবাদের উপর প্রতিষ্ঠিত যে নাগরিক সত্তা ও বিশিষ্ট দায়িত্ব, সেই দায়িত্ববোধের কোন অভিব্যক্তি পাই না। বদরুদ্দুজা সাহেব এখানে উপস্থিত নেই, তার কাছে আমি নিবেদন করতে চাই—আজ সংখ্যালঘু ও সংখ্যাগরিষ্ঠের প্রশ্ন নয়—যে ঘটনা ঘটে গেছে তার জন্য সকলেই দুঃখিত ও অনুতপ্ত। আমাদের সামাজিক দুর্ভোগ যে কারণেই ঘটুক না কেন—এবং রাজনীতিক, সাম্প্রদায়িক ঘটনার প্রতিঘাত ও প্রতিক্রিয়া যাহাই হোক না কেন—অতীতের সে সব দুঃস্বপ্ন ভুলে গিয়ে নূতন সুস্থ মনোবৃত্তি নিয়ে, কংগ্রেসের আদর্শের উপর প্রতিষ্ঠিত, মানবতার উপর প্রতিষ্ঠিত যে পরিবেশ এবং আবহাওয়া সেই আবহাওয়া যাতে সৃষ্টি হয়, সকলেরই সেই দিকে দৃষ্টি দেওয়া উচিত। আমি বিশ্বাস করি, আশা করি আমাদের বিরোধী দলের মাননীয় সদস্যরা—যাদের কাছে সহযোগিতার কর সম্প্রসারিত করা হয়েছে—তারা সেই সহযোগিতা দ্বারা দেশে নূতন সমাজ, নূতন পরিবেশ গড়ে তুলবেন। আজ সাম্প্রদায়িক বিষ উদ্গারের সময় নয়—দেশ এই বিষে জর্জরিত। এর প্রতিক্রিয়া থেকে যদি দেশকে, সমাজকে মুক্ত রাখতে চান—ভগবানের কাছে এই প্রার্থনা করি—আমাদের যেন তিনি সুবুদ্ধি দেন এবং সেই সুবুদ্ধি প্রণোদিত হয়ে আমরা এমন পরিবেশের সৃষ্টি করি যেখানে সংখ্যালঘু, সংখ্যাগুরু বলে কোন ভেদ থাকবে না—কোন পার্থক্য থাকবে না—সকল সুযোগ ও সুবিধা তারা সমানভাবে ভোগ করতে পারবে এই আদর্শ ও নীতি কংগ্রেস শিক্ষা দিয়েছে এবং সেই নীতি ও আদর্শ প্রবাবকাল নাসিক কংগ্রেসেও গৃহীত হয়েছে। সংখ্যালঘিষ্ঠদের নিরাপত্তার দায়িত্ব সংখ্যাগরিষ্ঠ সম্প্রদায় এবং রাষ্ট্রের উপর নাস্ত রয়েছে। কিন্তু তাদের নিজেদের সহযোগিতার প্রয়োজন। আজ যদি এমন পরিবেশের সৃষ্টি করা হয় যেখানে অতীত বর্বরতার তিক্ত কাহিনী সাম্প্রদায়িকতার কলঙ্ক কালিমায় কলুষিত কাহিনীর পুনরাবৃত্তি করা হয়, তাহলে যে পরিবেশের সৃষ্টির প্রয়োজন সেই পরিবেশ সৃষ্ট হবে না।

মাননীয় স্পীকার মহোদয়, আজ দিল্লী চুক্তি অবলম্বনে যে সুষ্ঠু অভিভাষণ রাজ্যপাল মহোদয় দিয়েছেন, সে, সম্বন্ধে আর আলোচনা করতে আমি ইচ্ছা করি না। সে সম্বন্ধে বিশদভাবে যা বর্ণনা করবার এবং রাষ্ট্রের তরফ থেকে যে ব্যবস্থা অবলম্বন করা হয়েছে, সংখ্যালঘিষ্ঠ ভাইদের প্রতি, তাদের নিরাপত্তা রক্ষার দিকে যে সব প্রতিবিধান করা হয়েছে, আমাদের শ্রদ্ধেয় নেতা, মাননীয় প্রধানমন্ত্রী মহাশয়, সে বিষয়ে বিশদ আলোচনা করবেন।

আমি আমার বক্তব্যের মধ্য দিয়ে, গভর্ণমেণ্টের শ্রমনীতি ও শ্রমসমস্যা সম্বন্ধে দুই একটি কথা নিবেদন করতে চাই। শ্রমিক নীতি এবং শ্রমিক সমস্যা বিশ্লেষণ করতে গিয়ে আমি আমার শ্রদ্ধেয় বন্ধু ডাক্তার সুরেশচন্দ্র বন্দ্যোপাধ্যায় মহাশয়কে স্মরণ করিয়ে দিতে চাই যে, শ্রমিক নীতি, সেই নীতি, আজও অব্যাহত রয়েছে, যে নীতি তিনি প্রবর্তন করে গিয়েছিলেন। সেই নীতিতে আজও কার্য পরিচালিত হচ্ছে। শ্রমিক আন্দোলন আমাদের দেশে এখনও শিশু অবস্থায় রয়েছে। কাজেই এর নানা প্রতিবন্ধক ও প্রতিকূল আবহাওয়া রয়েছে, একথা সত্য। কিন্তু আমি তাকে এটা স্মরণ করিয়ে দিতে চাই, তাঁর সময়ে যে নীতি প্রবর্তিত হয়েছিল অর্থাৎ শ্রমিক ও মালিকদের মধ্যে যে বিভেদ আত্মপ্রকাশ করলে, সে সঙ্ঘর্ষ, সালিশীর মধ্য দিয়ে, conciliation এর মধ্য দিয়ে মীমাংসা করবার যে নীতি তিনি গ্রহণ করেছিলেন, সে নীতি আজও অটুট আছে, এবং একথাও তাঁকে স্মরণ করিয়ে দিতে চাই যে তিনি যখন এই শ্রমবিভাগের মন্ত্রী ছিলেন, তখন দেশে কয়েকটি Tribunal তিনি প্রবর্তন করেছিলেন, সে Tribunal নিয়োগের নীতি আজও অব্যাহত রয়েছে। তাঁর সময়, অর্থাৎ যতদিন তিনি মন্ত্রী ছিলেন, তখন যে কয়টি Tribunal দিয়েছিলেন, তার সংখ্যা কত? ১৯৪৭ সালে ৬৬টি Tribunal মাত্র নিযুক্ত হয়েছিল। ১৯৪৮ সালে ১৯২টি Tribunal নিযুক্ত হয়েছে। (Sj. SIBNATH BANERJEE: ২০০টি বলুন না কেন?) ১৯৫০ সালে এ পর্যন্ত ১২৮টি Tribunal প্রতিষ্ঠিত হয়েছে। আর একটা কথা এ সম্বন্ধে আমি বলতে চাই, শ্রমিক ও মালিকদের মধ্যে বিরোধ আত্মপ্রকাশ করলে conciliationএর

মধ্য দিয়ে, সালিশীর মধ্য দিয়ে, collective bargainings এর মধ্য দিয়ে বিরোধ মীমাংসার যে নীতি সে নীতি আজ আন্তর্জাতিক সমাজে গৃহীত নীতি। কিন্তু আমাদের দেশে যখন সে নীতিতে বিরোধ মীমাংসা সম্ভবপর হয় নি, তখনই Tribunal নিয়োগের ব্যবস্থা হয়েছে। ১৯৪৭ সালে যখন Industrial Disputes Actএর প্রবর্তন হয়, আমাদের দেশে উৎপাদন যাতে ব্যাহত না হয়, সেই উদ্দেশ্যে ধর্মঘট বা Lock-outএর বিশেষ প্রয়োগ না হয়, সেজন্য তখন একটা ত্রিদলীয় বা Tripartite Conference হয়েছিল। এবং তাতে যে নীতি গৃহীত হয়েছিল, সেই নীতি রূপায়িত হয়েছে, বাংলা সরকারের শ্রমিক নীতির মধ্য দিয়ে। এখানে Tribunalএর কথাই আগেই বললাম, তা'ছাড়া আছে Works Committeeর প্রবর্তন। Works Committeeর মধ্যে মালিক এবং শ্রমিকদের সমসংখ্যক প্রতিনিধি থাকেন। তাঁরা তাদের দৈনন্দিন জীবন-যাত্রার মধ্যে যে সমস্ত ছোটখাট বিরোধের ভাব বা সঙ্ঘর্ষ দেখা দেয়, সেইটা মিটাবার জন্য Works Committee কাজ করে। এই উদ্দেশ্যেই Works Committeeর প্রবর্তন হয়েছে, Works Committeeর সমস্ত আইন-কানুন ও বিধি-ব্যবস্থা, ডাক্তার সুরেশচন্দ্র বন্দ্যোপাধ্যায় মহাশয় প্রবর্তন করেছিলে, কিন্তু সত্যিকারের সেই Works Committee গঠন করবার সুযোগ তিনি পান নি। (Dr. SURESH CHANDRA BANERJI: ২১২টা Works Committee গড়া হয়েছিল।) এই ২১২টা Works Committeeর কথা তিনি যে report থেকে দেখেছেন, তাতে তিনি এটাও দেখবেন যে তখন তার নীতি মাত্র তিনি গ্রহণ করেছিলেন, সে নীতিকে রূপ দেবার সুযোগ তিনি পান নি। তারপরে, বাঙ্গলা দেশে ২৪২টি Works Cemmittee প্রবর্তিত হয়েছে। শ্রমিক ও মালিকদের মধ্যে পরস্পরের একটা আলোচনা দ্বারা দৈনন্দিন সুখ-সুবিধা ও অসুবিধার বোঝাপড়ার মধ্য দিয়ে যদি একটা মীমাংসার পরিণতি হতে পারে, তার চেয়ে আনন্দের কথা কিছু আর নাই। কিন্তু যখন সেটা সম্ভবপর হয় না, তখন তাদের যেতে হয় সালিশীর কাছে। এবং আপনাদের অবগতির জন্য আমি নিবেদন করতে চাই যে ১৯৪৯ সালে ১,৮৮৯টি শ্রমিক ও মালিকের বিরোধ ঐ সালিশীর মারফৎ, conciliation machineryর মারফৎ, নিষ্পত্তি হয়েছে। যেগুলি তাদের দ্বারা নিষ্পত্তি হয় নি, সেগুলি Tribunalএ দেওয়া হয়েছিল, তাছাড়া Tribunalএর রায় দেওয়ার পর সেই Tribunalএর রায় সম্বন্ধে যখন কোন কোন মালিক কার্যকরী ব্যবস্থা অবলম্বন না করতে চান, তখন তাদের অভিযুক্ত করা হয়। শ্রদ্ধেয় শিবনাথবাবু বলেছেন—জানি না সত্যই তিনি না জেনে বলেছেন, না জ্ঞান-পাপী হয়ে বলেছেন,—"বাঙ্গলা দেশের মালিকেরা যেন বাই উন্মাদিনী। তাদের একজনেরও সাজা দেবার বা অভিযুক্ত করবার ব্যবস্থা হয় নি"। (Sj. SIBNATH BANERJEE: আমি একথা বলি নি, উনি মিথ্যা কথা বলছেন।) আপনি সেদিন বলেছিলেন,—(Sj. SIBNATH BANERJEE: Do not tell an untruth.)

Mr. SPEAKER: Order, order: Mr. Banerjee, I appreciate your explanation.

Sj. SIBNATH BANERJEE : I have not made that statement.

The Hon'ble KALIPADA MOOKERJEE: The Assembly record will show that.

Sj. SIBNATH BANERJEE : Exactly.

The Hon'ble KALIPADA MOOKERJEE: All right.

Sj. SIBNATH BANERJEE : (Pointing to some paper in his hand.) There is the official record taken by the Assembly Department. Now it is for the Hon'ble Minister to show that the statement I am alleged to make was really made by me.

The Hon'ble KALIPADA MOOKERJEE: আমরা এখানে তেরটি ক্ষেত্রে মালিককে অভিযুক্ত করেছি এবং তাদের অনেকের সাজাও হয়েছে। Punishment ঘটেছে। এবং এই সঙ্গে আমি আর একটা কথা বলবো,—আমাদের এখানে শ্রমিকেরা কখনও কখনও—বেআইনী ধর্মঘটে ব্যাপৃত হয়। কিন্তু সেই

লোহাইনী ধর্মঘটে ব্যাপৃত হবার জন্য সরকারের তরফ থেকে কখনও তারা অভিযুক্ত হয় নি। এ ছাড়া মাননীয় শিব-নাথবাবু তাঁর ভাষণে, সেদিন শ্রম বিভাগের প্রতি কটাক্ষ করে বলেছিলেন, সরকারের কোন শ্রমনীতি নাই, শ্রমিক-কল্যাণ রাষ্ট্রের কাম্য নয়। আমি তাঁকে খুব বিনীতভাবে নিবেদন করবো, তিনি শ্রমিকদের দরদী বন্ধু; শ্রমিক-কল্যাণে বহুদিন যাবৎ আত্মনিয়োগ করে আসছেন, এখন যদি শ্রমিকসংহতি রক্ষাকল্পে নিজেকে নিয়োজিত করেন তাহলে দেশের এবং জাতির কল্যাণ সাধিত হবে। কিন্তু দুঃখের বিষয় তাঁর উপর ন্যস্ত যে সমস্ত Trade Union রয়েছে,—বাঙ্গলা দেশের ৬৫টির কর্ণধার তিনি। আপনারা হয়ত অবগত আছেন, Trade Union Actএর একটা বাধ্যতামূলক ধারা আছে, যাতে ৩০শে জুনের মধ্যে Trade Unionএর report তার হিসাব-নিকাশসহ দাখিল করতে হয় সরকারের কাছে; কিন্তু দুঃখের বিষয় তিনি এই ৬৫টি Trade Unionএর মধ্যে মাত্র একটির হিসাব-নিকাশ দাখিল করেছেন এবং গত বৎসরে এইভাবে হিসাব-নিকাশ না করার জন্য তার ১২টি Trade Union খারিজ হয়ে গেছে। এ বছরেও ৩২টি Trade Unionএর জন্য তার কাছে কৈফিয়ৎ তলব করা হয়েছে এবং দুই মাসের সময় দেওয়া হয়েছে। যদি সেই সময়ের মধ্যে report ও হিসাব-নিকাশ দাখিল করতে না পারেন, তাহলে সেগুলির registration নাকচ হয়ে যাবে। আমি বিনীতভাবে বলবো, যারা শ্রমিক বন্ধু, শ্রমিকদের কল্যাণ ও সংহতির জন্য যারা আত্মনিয়োগ করেছেন, কেন জানি না, দেশের এই দুর্দিনে শ্রমিক সংগঠনের যখন একান্ত প্রয়োজন, তখন তাঁরা অনেক সময় শ্রমিকদের ধর্মঘটের পথ দেখান। শ্রমিক নেতাদের সম্বন্ধে বলতে গিয়ে আমি বলতে চাই, যে এর মধ্যে কংগ্রেস আদর্শে পুষ্ট যারা, তারা শ্রমিক ধর্মঘট করতে গিয়ে যখন বুঝতে পারেন যে, কল্যাণ সাধিত হয় না তখন তারা সেটা প্রত্যাহার করবার সংসাহস দেখিয়েছেন, এবং ধন্যবাদ অর্জন করেছেন জাতির ও শ্রমিক সংসারে।

তাঁরা মনে করেন ধর্মঘটের মধ্য দিয়ে তাদের কল্যাণ সাধিত হয় না। তাঁদের সে সংসাহস আছে, তারা সেই ধর্মঘট প্রত্যাহার করবার সংসাহস দেখিয়ে ধন্যবাদ অর্জন করেছেন সমগ্র জাতির ও শ্রমিক সংসার। কিন্তু অন্যান্য ক্ষেত্রে যারা সর্বাত্মক ধর্মঘটের হুমকি দিয়ে জাতির উৎপাদনের পথকে অবরুদ্ধ করতে চান, জাতির স্বাবলীল গতিকে ব্যাহত করতে চান, তাঁদের আমি এই কথাই বলতে চাই যে শ্রমিকদের কল্যাণ এক কথা এবং শ্রমিকদের কল্যাণের নামে নিজেদের ব্যক্তিগত বা দলগত রাজনৈতিক পুনর্বাসনের প্রয়াণ শ্রমিকদের কল্যাণ নয়। আজ শ্রমিকরা সংঘবদ্ধ হয়েছে, তারা নিজেদের কল্যাণের পথকে বরণ করে নিতে পেরেছে। আমি বিশ্বাস করি শ্রমিকদের প্রতিষ্ঠান,—যাঁরা নিজেদের মাথার ঘাম পায় ফেলে রুটি রোজগার করেন—তাঁরা ক্ষেতেই কাজ করেন বা কলকারখানায় কাজ করেন, তাঁরা জাতির শ্বাস রক্ষক, তাঁরা জাতির মেরুদণ্ড। তাঁদের অগ্রগমন হবে ভারতের অগ্রগমনের ইতিহাস। সেই অগ্রগমনের ইতিহাস যাঁরা সত্যিকার শ্রমিক কল্যাণের পথে প্রতিষ্ঠিত করবেন না, শ্রমিকদের নামে নিজেদের দল বা নিজেদের স্বার্থকে চরিতার্থ করবার জন্য তাদের সেই রাজনৈতিক পুনর্বাসনের খেলা খেলবেন বা আসন্ন নির্বাচনের দিকে দৃষ্টি রেখে শ্রমিকদের তাঁদের দলাবোড়ের বোড়ে হিসেবে ব্যবহার করতে চাইবেন, আজ, সংঘবদ্ধ শ্রমিক তাদের কখনোই বরদাস্ত করবে না। ১২ তারিখে যে হরতাল ঘোষিত হয়েছিল, তাতে তারা সেটা দেখিয়ে দিয়েছে।

মহামান্য রাজ্যপাল মহাশয় তাঁর অভিভাষণে যে সর্বাত্মক ধর্মঘটের কথা ইঙ্গিত করেছিলেন, কোন কোন পক্ষ থেকে সে বিষয়ে প্রশ্ন উত্থাপিত হয়েছিল। সারা বাংলার সম্মুখে যারা শ্রমিকদের ১২ই তারিখের হরতালের যে আস্ফালন ও হুমকি দিয়েছিলেন সেটা কার্যে পরিণত হয় নি। শ্রমিকদের সম্পর্কে তাদের নিজেদের স্বার্থ ও জাতির বৃহত্তর কল্যানের দিকে দৃষ্টি রেখে যাঁরা সেই হরতালকে ব্যাহত করেছেন, তাকে কার্যে পরিণত করেন নাই,—তাঁরা প্রকৃতই জাতির শ্রদ্ধা অর্জন করেছেন।

সরকারের শ্রমিক ও শ্রমনীতি সম্বন্ধে আমি দু'একটী কথা বলেছি। আজকে আর একটী প্রশ্ন উঠেছে। এখানে যে সমস্ত বাস্তুহারা ভাইরা এসেছেন, আমি বাস্তুহারারা কোন্ ধর্মমত ও কোন্ সম্প্রদায়ের লোক তা বলি না, আজকে যারা নিজেদের পিতৃপিতামহের বাসভূমি পরিত্যাগ করতে বাধ্য হয়েছে, ঘটনাস্রোতের ফলেই হোক্ আজকে যাঁরা গৃহহীন হয়ে বাংলার দুয়ারে এসেছেন, তিনি হিন্দুই হোন্ বা মুসলমান হোন্ সেই বাস্তুত্যাগী ভাইদের পুনর্বাসনের সমস্যাই আজ বাংলার প্রধান ও প্রথম সমস্যা। সেই পুনর্বাসন সমস্যাকে স্বার্থক করতে হলে প্রথম তাদের বেকার সমস্যা সমাধানের প্রয়োজন। তাদের অর্থনৈতিক পুনর্বাসন যদি সম্ভবপর না হয়, তাহলে পুনর্বাসনের কোন প্রয়াসই সার্থে রূপায়িত হবে না। তাই আজকে এই গভর্নমেণ্টের তরফ থেকে সমস্ত প্রতিষ্ঠান—ইণ্ডিনিয়ারিং প্রতিষ্ঠান টেক্ট ইণ্ডাষ্ট্রীজ এবং অন্যান্য সকল ইণ্ডাষ্ট্রীজ যা আছে, তাদের সকলের কাছে নিবেদন করি—আগেই তাঁদের এই নির্দেশ দেওয়া হয়েছিল যে তাঁরা যেন—যারা বাস্তুহারা এবং মুসলমান ভাইরা, যারা ঘটনাস্রোতের ফলে বাধ্য হয়ে

এদেশ ছেড়ে চলে গিয়েছিলেন তাঁরা যেন আবার নিজেদের কাজে পুনর্নিযুক্ত হন্ এবং আমি আনন্দের সঙ্গে জানাতে বলবো যে ভূট ইণ্ডাষ্ট্রীজে প্রায় বারো হাজার মুসলমান ভাইরা যাঁরা ফিরে এসেছেন, তাঁরা আবার নিজেদের কাজে পুনর্বহাল হয়েছেন। এবং সঙ্গে সঙ্গে অন্যান্য শিল্প এবং ইণ্ডাষ্ট্রীজের শিল্পপতিদের কাছেও বাস্তহারাদের নিয়োগ সম্পর্কে নিবেদন করা হয়েছে, যার ফলে চিত্তরঞ্জন লোকোমটিভ্ ওয়ার্কসের মধ্যে এবং বাংলা দেশের ষ্টেট্ ট্রান্সপোর্টের মধ্যে ও অন্যান্য প্রতিষ্ঠানের মধ্যেও বহুসংখ্যক বাস্তহারা ভাইরা যাঁরা পূর্ববঙ্গ থেকে এসেছেন তাঁদের সেখানে কাজে বহাল রাখা হয়েছে। আজ সকলের কাছে বিশেষ করে শিল্পপতি, পুঁজিপতি এবং বড় বড় কলকারখানার মালিকদের কাছে এই আবেদন পৌঁছে দিতে চাই যে, এই বাংলা দেশের এই সমস্যা সমাধানকল্পে তাঁদের আন্তরিক সহযোগিতা ও সাহচর্য্য প্রার্থনা করি। কারণ এই বিরাট সমস্যা একা রাষ্ট্রের পক্ষে সমাধান করা সম্ভবপর নয়। আজ সকলে মিলে, সরকারী বে-সরকারী, সরকারের সরকার-বিরোধী দল এবং শিল্পপতি থেকে পুঁজিপতি থেকে আরম্ভ করে দেশের জাতির সকল স্তরের, সকল নরনারীর কাছে এই সমস্যা সমাধানের দাবি এসে পৌঁছেচে। আজ সুযোগ আছে, সুবিধা আছে যারা বাস্তহারাদের নিয়োগ করে পুনর্বাসনের কাজে সাহায্য করতে পারবেন, আমি তাঁদের সকলের কাছে সনির্বন্ধ নিবেদন জানাবো—আপনারা এই সমস্যা সমাধানের কাজে সাহায্য করুন। এই সমস্যা সমাধানের ইঙ্গিত করে মহামান্য রাজ্যপাল মহাশয়ের কাছ থেকে যে অভিভাষণ পেয়েছি, আজ তাই এই পরিষদের তরফ থেকে আমরা তাঁকে আমাদের সশ্রদ্ধ অভিনন্দন ও কৃতজ্ঞতা জানাই।

The Hon'ble NALINI RANJAN SARKER: Mr. Speaker, Sir, as I was listening to the speeches of the members on the amendments, particularly of Dr. Suresh Chandra Banerjee and Sri Sibnath Banerjee, I was left with the impression that there seemed to be an inadequate appreciation of the scope and purpose of His Excellency's address which is in the nature of the King's speech in the British Constitution. I am aware that this is a new innovation in our constitutional practice and it may take some time before we may be in a position to fully realise the spirit of such an address and lead to create healthy conventions which may endow this occasion with something more than academic importance. As I was listening to the various speakers, it appeared to me that some of the speakers had found that like the proverbial Curate's egg, the speech was good in some parts and bad in others; some speakers, like my honourable friends Dr. Banerjee and Sri Banerjee have found nothing good in it. In fact, Sri Banerjee has come out with his 14 points, with sinister historical associations, the absence of which in the address he deplores with so much unnecessary vehemence. I can tell them that they have misunderstood the spirit of the occasion; for, it is neither Parliamentary practice nor a practical proposition to include in the Governor's speech a catalogue of all that the Government have done or intend to do. The Government have in hand so many things and so many things are being done that it is not possible to encumber a severely business-like speech like this with too many details which have no bearing on the immediate legislative programme in hand. It is, therefore, the established practice that such speeches should indicate the broad policy of the Government and the legislative programme of the session. In fact, as a noted Parliamentarian, Sir Richard Auckland pointed out on a similar occasion, such a speech is an occasion where one addresses one's remarks "to the totality of the situation" without expecting too many matters to confuse the main intention of the Government. Therefore, Sir, one cannot expect all the good things of the Utopia, conjured in the expansive vision of Dr. Banerjee and Sri Banerjee to find mention in the speech, as if a mere mention would have sufficed to clear the coast of all our problems. And because a government cannot at every moment give an explanation of what they are doing and what are going on, it would be, I think, a great mistake to assume that nothing is being done, and that the Government are following a policy of masterly inactivity. On the other hand, as the House is aware, we are fighting on many fronts and our record of achievement, modest though it may be, is not such as to make us look small before the bar of public opinion.

Sir, we have now a constitution of which we may well feel proud. This has chartered the course for us as a democratic nation. But on an occasion like this it will be well for us to remember that a nation cannot be built by its constitution alone, however wisely it might be framed. It is only an aid and a guide; its letters only symbolise the spirit that really matters. And unless we can capture that spirit and translate it into action for the good of the people, it can only have merely an academic interest. It is, therefore, our action that can make or mar our constitution and it is by our action again that we can make the most or the least of the constitutional device that has been placed in our hands as our guide. If we are to make a success of the democracy we are going to build up, we must by our wise action, try to create a democratic tradition by creating suitable parliamentary conventions which may serve as a useful aid to us in our endeavour to build up the foundation of a progressive State. An occasion like this provides an opportunity for creating such healthy conventions, and I hoped and expected that the members would be guided by that consideration without making this an occasion for usual fire-works and play of wit.

I have been pained, indeed very much pained, by the speech delivered by my friend Mr. Syed Badrudduja—unfortunately he is not here. That is surely not the type of speech that can do any good to the Muslims, far less contribute to the return of confidence in them. Mr. Badruddoja knows it more than anybody else that so far as the Muslim minority in this State is concerned, the Government have been extraliberal to them so much so that extreme communal opinion in this State have made open charges against this Government for what they consider to be their too generous treatment towards the Muslim minorities. But, I have never expected Mr. Badrudduja to appreciate these measures, because I know, it is but one step from critical to hypocritical, and however much he may realise the genuineness of our desire to see the Muslim migrants well restored to normal life, he will not admit it; as it always pays to keep the candle of hatred and bitterness burning. I do not know how far Mr. Badrudduja can claim the right to represent the voice of these Muslims; for their confidence in him has not been suitably expressed as events have so often shown. The Muslim minority, I am afraid, had better look elsewhere for guidance than in the frustrated impulse of a quick-changing political artist.

In contrast to this unseemly outburst, the speech of Mrs. Hakam has come to this House as a refreshing interlude. It does credit to her political wisdom and practical sense of duty that she has taken a realistic view of things and given expression to her views in a manner that must find echo in many hearts both inside and outside this House. It is this type of speech that makes for peace and friendliness and promotes goodwill which everybody desires to foster in their State.

Of course, I can quite appreciate the annoyance of Sri Sibnath Banerjee that some of the problems of Howrah have not found a mention in the Governor's address. If the problems of that fortunate city—the city that has the distinction and privilege of claiming Sri Banerjee as its honoured citizen, were to find a place in the speech,—well, 13 other districts now comprising the State of West Bengal, claiming probably less distinguished persons than Sri Banerjee as their citizens, may well demand similar mention for their real or imaginary grievance. It seems to me, therefore, that these amendments are before the House, not because they are really necessary but because they give an opportunity to their sponsors to crawl out of their holes into the limelight to show that they are there—the supposed champions of all right causes.

Sir, much has been said about the refugees, and quite naturally. There is hardly any heart here in this House—and outside, that does not feel for them and share the bitter pain and anguish which is their lot. The people of this State has responded warmly to the call of humanity and come to their help in numerous ways. This really does credit to their generosity. It was fondly hoped that with the achievement of freedom, we shall have at least certain national problems on which we shall be able to formulate a natural policy keeping them above party or group politics. The refugee problem is one such national problem in which it was expected that there would be no room for politics, and political use would not be made of the distress of a whole race. It is a matter of the deepest shame to us that this is not to be and politics has crept into a question which is, if any thing, largely humanitarian. Around this problem, various parties, groups and interests are veering, quite apparently with the purpose of fishing in troubled waters. This is doing no good to the refugees, as, it is found that they are too often made pawn in the political game. Already, the refugee problem is so much politics-ridden that numerous organisations are working at cross-purposes in their name. This is hardly a hopeful sign and only shows that the relief of refugees is only secondary to the purpose of agitation on the election-eve. I sincerely believe that we shall be helping the cause of refugees better if we kept the problem outside politics and took it up as a national problem towards which the united efforts of the whole nation should be bent. At the moment the discussions we have so far heard has not indicated any such tendency. At least on this problem, let me hope and trust, we should be able to rise above party and group interests and show to the world that in a very distressing period in the history of the Bengali race, we have not played with the fortunes of a whole people uprooted from their soil.

The Hon'ble PROFULLA CHANDRA SEN : মাননীয় Speaker মহোদয়--

Sri SIBNATH BANERJEE : মন্ত্রীমহোদয়রা কি সকলেই বল্‌বেন ?

The Hon'ble PRAFULLA CHANDRA SEN : সকলে না বল্‌লেও কেহ কেহ বল্‌বেন। মহামান্য রাজ্যপাল মহোদয় তার সুন্দর অভিভাষণে আমাদের পশ্চিম বাংলার যে সমস্ত জটিল সমস্যা রয়েছে, তার সবগুলি সম্বন্ধেই কিছু কিছু বলেছেন এবং উল্লেখ করেছেন। সবচেয়ে জোর দিয়েছেন, এই পশ্চিম বাংলার উদ্বাস্তুদের সম্বন্ধে এবং তার পর আমাদের জটিল খাদ্য সমস্যা সম্বন্ধে। এই খাদ্য সমস্যা যে কত জটিল তা এই পরিষদের বিভিন্ন সদস্য স্বীকার করে নিয়ে বক্তৃতা করেছেন—এমন কি বন্ধুবর শিবনাথবাবু পর্য্যন্ত তাঁর বক্তৃতায় আমাদের বর্ত্তমান খাদ্য নীতির বিরুদ্ধে বেশী কিছু বল্‌তে পারেননি। বদরুদ্দুজা সাহেবও বিরুদ্ধে বেশী কিছু বলেন নি এবং শ্রদ্ধেয় বন্ধু চারুচন্দ্র ভাণ্ডারি মহাশয়ও এটা স্বীকার করেছেন যে বর্ত্তমান অবস্থায়--বর্ত্তমান জটিল অবস্থায়—আমাদের খাদ্যনীতি সম্পূর্ণ ঘোল আনা তার মনোমত না হলেও তিনিও খাদ্যের সঙ্কট অবস্থা সম্বন্ধে অবহিত আছেন এবং সহানুভূতির সঙ্গে বলেছেন, এই অবস্থার মধ্যে যতটা ভাল করা সম্ভব, তা আমরা কর্‌তে পেরেছি। তবে একটী কথা চারুবাবু বলেছেন—সেটা হচ্ছে, আমাদের কৃষকরা ধানের ঠিক ন্যায্য মূল্য পাচ্ছে না। এ সম্বন্ধে চারুবাবুর সঙ্গে আমার একটু মতভেদ আছে। আপনারা সকলেই জানেন—চারুবাবুও জানেন—গভর্ণমেণ্ট যে ধান সংগ্রহ করেন, সেই সংগ্রহের সময় একটা মূল্য নির্দ্ধারণ করে দেন। সেই মূল্য হচ্ছে, মোটা ও বাজারি রকম ধান ৭৷৷০ (সাড়ে সাত টাকা) মণ। এবং আপনারা সকলেই জানেন যে, আমাদের ধান যা উৎপন্ন হয় তার মধ্যে অতি অল্প অংশই আমরা সংগ্রহ করি। শতকরা ১২ বা ১৩ ভাগ, খুব বেশী কর্‌লে ১৪ ভাগের বেশী আমরা সংগ্রহ করি না। চারুবাবু অবশ্যই জানেন আমরা যাদের কাছে সংগ্রহ করি তাদের অধিকাংশই নিজেরা চাষ করে না। যাদের হাজার বিঘে, ৪০০ বা ২০০ বিঘে জমি আছে, তাদের কাছ থেকেই সংগ্রহ করি বেশী এবং হিসেব করলে দেখা যায়, যারা ভাগে চাষ করে, সংগৃহীত শস্যের ৭৫ ভাগ, ৮০ ভাগ আমরা তাদের কাছ থেকে পাই। যাদের ২০।২৫ বিঘে জমি আছে, যাদের নিজের ছেলে গরু আছে, লাঙ্গল আছে, যারা নিজেরা চাষ করে, নিজেরা পরিশ্রম করে, জমিতে নিজেরা কাজ করে, তাদের কাছ থেকে আমরা সংগ্রহ করি কম। যাদের ২।৪ বিঘে জমি আছে, যাদের সংসার চলে না, কর্জ্জ তাদের কাছ থেকে আমরা মোটেই সংগ্রহ করি না। এটা ঠিক

যে যদি ধানের মূল্য বাড়িয়ে দেওয়া হয়, তাহলে যারা ভূমিহীন কৃষক, যারা শ্রমিক, তাদেরই সবচেয়ে বেশী ক্ষতি হবে। আবার মনে হয় বর্ত্তমানে ধানের দর ৭।।০ মণ থেকে বাড়িয়ে যদি দশ টাকা করে দেই, তাহলে আসছে বছর চারুবাবুই এই পরিষদে এসে বল্‌তে চাইবেন—মশায়, ধানের দর দশ টাকা দিলেন? তেলের দাম ২৸০ জায়গায় আজ ৩।।০ হয়েছে, কাপড়ও ২।।০ জায়গায় ৪ টাকা হয়েছে এবং অন্যান্য জিনিষের দামও বেড়ে গেছে। ধানের দর দশ টাকা মণ করে দিলেই বর্ত্তমানে দেশে যে অর্থনীতিক সমস্যা দেখা দিয়েছে তা থেকে আমরা রেহাই পাব না। আজ যদি ধানের দর বাড়িয়ে দেওয়া হয় ও চালের দর বেড়ে যায়, তাহলে সকলেই বল্‌বেন, dearness allowance বাড়িয়ে দিতে হবে, শ্রমিকদের মজুরি বাড়িয়ে দিতে হবে। কাজে কাজেই ধানের দর বাড়ানই আমাদের বড় সমস্যা নয়; সবচেয়ে বড় সমস্যা হচ্ছে দেশে উৎপাদন বাড়ানো। আপনারা সকলেই জানেন যে আমাদের এই খাদ্য সমস্যা যে আজ এত জটিল হয়েছে, তা শুধু আমরা দেশের উৎপাদন আশানুরূপ বাড়াতে পারছি না সেইজন্য। আমাদের দেশে উৎপাদন কিছুটা বেড়েছে কিন্তু তার তিনগুণ ক্ষতি হয়েছে বন্যা এবং অন্যান্য কারণে। আপনারা জানেন যে, এই বৎসর বন্যায় ফসলের ভয়ানক ক্ষতি হয়েছে। এই বৎসরে যে আউস ধান নষ্ট হয়েছে তাতে ক্ষতির পরিমাণ ২১ হাজার টন চাল। আপনারা জানেন যে, মেদিনীপুর, ময়না, হুগলী, জলপাইগুড়ী, নদীয়া, মুর্শিদাবাদ, মালদহের বহু অঞ্চলে আমন ধানের বীজ নষ্ট হয়ে গিয়েছে। জলপাইগুড়ী জেলায় বন্যা পীড়িত অঞ্চলে আমি গিয়েছিলাম এবং সেখানকার কংগ্রেস বন্ধুদের সঙ্গে বন্যাপীড়িত অঞ্চল ঘুরে দেখে এসেছি। আমি স্বচক্ষে দেখেছি যে জলপাইগুড়ীতে হাজার হাজার গৃহস্থের যাদের ১০।১৫।২০ মণ ধান ছিল তা বন্যায় নষ্ট হয়ে গিয়েছে। উৎপাদন যাতে বাড়ান যায় সেদিকে আমাদের খুব দৃষ্টি আছে। তবে মোটামুটি বলা যায় যে, গত বৎসরে আমরা যে সমস্ত ছোট ছোট সেচ্ পরিকল্পনা গ্রহণ করেছিলাম তার সংখ্যা হচ্ছে ২০৩ এবং এর দ্বারা ১৯৪৯-৫০ সালে ২।।০ লক্ষ বিঘা জমি উপকৃত হয়েছে। এবং এই বৎসরে আমরা যে সমস্ত সেচ্ পরিকল্পনা গ্রহণ করেছি তার ফলে যে জমি উপকৃত হবে তা প্রায় ৩।। লক্ষ বিঘা। আমাদের সেচ্ বিভাগ থেকে ১৪টী সেচ্ পরিকল্পনা কার্য্যকরী হয়েছে এবং তাতে করে ৩ লক্ষ ৬৮ হাজার বিঘা জমি উপকৃত হয়েছে। এই বৎসর যে সমস্ত সেচ্ পরিকল্পনা গৃহীত হয়েছে তাতে ৩ লক্ষ ২৯ হাজার বিঘা জমি উপকৃত হবে। এবং অন্যান্য পরিকল্পনার দ্বারাও আমরা ফসল বাড়াবার চেষ্টা করছি। কিন্তু যে পরিমাণ খাদ্য উৎপাদন আমরা আশা করেছিলাম সেই পরিমাণ উৎপাদন আমরা বাড়াতে পারছি না—বন্যা ও অনাবৃষ্টির জন্য আমাদের অনেক ক্ষতি হয়েছে এবং তাতে আমাদের খাদ্য সমস্যা আরো বেশী জটিল হয়েছে।

Sj. SIBNATH BANERJEE : বার বার ঘড়ির দিকে তাকাচ্ছেন কেন? সময় হলে রেডিও মারফৎই ত শোনাতে পারবেন।

The Hon'ble PRAFULLA CHANDRA SEN : শিবনাথ বাবু অনেক বাজে কথাই বলে থাকেন, তবে তার মত আমি বেশী সময় নেবো না।

আপনারা সকলেই জানেন যে ১৯৪১ সালের আদমসুমারীতে আমাদের পশ্চিম বঙ্গের লোকসংখ্যা ছিল ২ কোটি ১২ লক্ষ। আজকে লোকসংখ্যা বেড়ে ২ কোটি ৮৬ লক্ষ হয়েছে। কাজে কাজেই খাদ্য সমস্যা আজ জটিলতর হয়েছে। মুর্শিদাবাদ, নদীয়া জেলায় চালের দর বেড়েছিল। সঙ্গে সঙ্গে আমরা কলকাতা থেকে আমাদের সংগৃহীত ধান সেসব অঞ্চলে পাঠিয়ে দিয়েছি। আমরা এখানে যে নিয়ন্ত্রণপ্রথা চালু করেছি তাতে আমরা মধ্যবর্ত্তী একটী পথ গ্রহণ করেছি। আমাদের দেশে অনেকেই চাল নিয়ন্ত্রণ রহিত হয়ে যাক, আবার কেউ কেউ নিয়ন্ত্রণ রাখতে চান। Government এই বিষয়ে মধ্যবর্ত্তী একটী পথ গ্রহণ করেছে। সমস্ত জিনিষই আমরা নিয়ন্ত্রণ করতে পারি না। কলকাতার শিল্পাঞ্চলে যে সব লোক বাস করে তাদের ক্রয়শক্তি খুব বেশী। ক্রয় করবার ক্ষমতা তাদের থাকা সত্ত্বেও আমরা তাদের ক্রয় সঙ্কুচিত করেছি। আপনারা জানেন যে, কলকাতায় মৈনিক ১২ আউন্স করে তণ্ডুল জাতীয় পদার্থ মাথা পিছু দেওয়া হচ্ছে—এটা চালই হোক্ বা গমই হোক্। কখনও চাল বেশী, কখনও গম বেশী। আজ কলকাতায় এমন অনেকে আছেন যারা অভিযোগ করছেন আমরা কোন দিনই রুটি খাই না। অতএব অর্দ্ধেক চাল অর্দ্ধেক গম দিলে হবে না। কিন্তু আজ কলকাতার লোকদের যত টাকাই থাকুক না কেন তাদের কিছু কিছু রুটি খেতে হবে—চাল খাবার ইচ্ছা যতই থাক না কেন। এই যে মধ্যবর্ত্তী নীতি গৃহীত হয়েছে তাতে গরীব লোকেরা যাতে খেতে পারে তার ব্যবস্থা হয়েছে। শিবনাথ বাবু জানেন যে, ১৯৪৩ সালে যে দুর্ভিক্ষ হয়েছিল তখন তিনি আমাদের সঙ্গে প্রেসিডেন্সী জেলে ছিলেন। আমরা তখন দেখেছি যে কত লোক দুর্ভিক্ষে খেতে পায়নি। শিবনাথ বাবুও আমাদের সাথে relief kitchenএ ছিলেন, তাঁর হয়ত

মনে আছে আমরা অর্দ্ধেক খেতাম এবং অর্দ্ধেকটা রিলিফের জন্য দিতাম। সেই সময় সবচেয়ে বেশী ২৪-পরগণার লোকই রাস্তায় মরেছে। কেন মরেছে? আমি সেদিন একটা মিটিংএ গিয়েছিলাম, সেখানে অনেকেই বললেন যে ২৪-পরগণায় অনেক ধান চাল রয়েছে, সেখানে নিয়ন্ত্রণ রাখতে হবে না। এই বৎসর ২৪-পরগণায় ১৩ লক্ষ লোককে Statutory rationingএর মধ্যে রাখা হয়েছে। এবং প্রায় ২ লক্ষ লোককে আংশিক বা modified rationingএর মধ্যে রাখা হয়েছে। কেন রাখা হয়েছে? যাদের আয় কম, ক'লকাতা থেকে তাদের আমরা চাল পাঠিয়ে দিই ন্যায্য দরে--১৬৸৵০ আনা মণ দরে। গত বৎসর সমগ্র বাংলা দেশে ১২।১৩ লক্ষ লোক এই আংশিক rationingএর অধীনে ছিল। আজ September মাসে সেখানে ৩২ লক্ষ লোক এই modified rationingএর মধ্যে রয়েছে।

হাওড়া জেলার গ্রামাঞ্চলের তিন লক্ষ চল্লিশ হাজার লোককে এই modified rationingএর অধীনে রেখেছি, আজ আমরা সমস্ত উদ্বৃত্ত শস্য সংগ্রহ করে নিয়ে সমস্ত দেশময় বণ্টন করতে পারছি নে। দেশের মধ্যে অনেকে আছেন, যারা control বোঝেন এবং অনেকে আছেন যাঁরা বোঝেন না, সেইজন্য আমরা একটা মধ্যবর্ত্তী ধারা গ্রহণ করেছি। যখন গরীব লোকেরা চাল সংগ্রহ করতে পারে নি তখন তাঁদের কাছে চাল বা আটা আমরা পাঠিয়েছি। আমরা উৎপাদন বৃদ্ধি করবার চেষ্টা করেছি। কিন্তু আমরা যত চেষ্টাই করি না কেন, প্রকৃতির সঙ্গে যুদ্ধ করে আমরা পেরে উঠছি না। আমরা যেখানে শস্য বাড়িয়েছি হয়তো এক লক্ষ টন, সেখানে প্রকৃতি ধ্বংস করেছে দু লক্ষ টন। ওয়াকার সাহেব বলেছেন যে কিছু পরিমাণ ধানের জমি আমরা যে পাটের জমিতে পরিণত করেছি সেটা ঠিক হয়নি। কিন্তু এবিষয়ে দ্বিমত আছে। আমাদের দেশে এখানকার চাহিদাসাপেক্ষ সমস্ত পাট উৎপন্ন হয় না--পাকিস্থানের উপর নির্ভর করতে হয়। আমরা পাট সম্বন্ধে স্বাবলম্বী হতে চাই। আমাদের এই ঘনবসতিপূর্ণ পশ্চিমবঙ্গের প্রতি বর্গ মাইলে ৮৫২ জন লোক বাস করে, কোচিন বাদে ভারতবর্ষে আর যত প্রদেশ আছে তাদের মধ্যে এত ঘন বসতি আর কোন প্রদেশেই নাই। বিশেষজ্ঞ পণ্ডিতেরা বলেছেন অন্ততপক্ষে ৬ বিঘা জমি মাথা পিছু না যদি থাকে তাহলে ভালোরকম চাষ করা যায় না। বর্ত্তমানের ক্রমবর্দ্ধমান লোকসংখ্যার দরুন আমাদের জমির অভাবে খাদ্য সম্বন্ধে আমরা স্বয়ংসম্পূর্ণ হবো কিনা জানি না। অতএব বাংলা দেশকে বাঁচতে হলে শিল্পের উন্নতি অবশ্যই করতে হবে। সুতরাং যে পাটশিল্পটা আমাদের রয়েছে তাকে রক্ষা করতেই হবে। পশ্চিম বাংলার অর্থনীতি সম্বন্ধে যাঁরা কিছু চিন্তা করেন তাঁরা নিশ্চয়ই বলবেন--আউশের কিছু জমিকে পাটের জমিতে পরিণত করলে পাট সম্বন্ধে আমাদের সঙ্কট কমে যাবে। এবং সেইজন্য একাজটা কিছু অসঙ্গত হয় নি।

আপনাদের কাছে প্রাকৃতিক দুর্য্যোগের কথা আগে বলেছি, তারপরে আমাদের আর একটা দুর্য্যোগের সম্মুখীন হতে হয়েছে। ফেব্রুয়ারী মাসের সাম্প্রদায়িক গোলযোগের ফলে পশ্চিম বাংলার অনেক জমি অনাবাদী পড়ে থাকে। আর তার অধিকাংশই হচ্চে পাট আর আউশের জমি। নদীয়া, মুর্শিদাবাদ ও মালদহ জেলার প্রায় সাড়ে তিন লক্ষ একর জমি পতিত ছিল, মুসলমান ভায়েরা এই সমস্ত জমি পরিত্যাগ করে চলে গিয়েছিলেন। একেই পশ্চিম বঙ্গে চাষের জমির অভাব তাতে অত জমি পতিত থাকলে অবস্থাটা কি দাঁড়ায় সেটা অতি সাধারণ লোকেরও সহজ বোধগম্য। এই যে একটা অতর্কিত difficultyতে আমরা পড়ে গেলাম, Rehabilitation Ministerএর সাহায্যে আমরা তার মধ্যে প্রায় ৬ লক্ষ বিঘা জমি আবাদ করতে পেরেছি--আশ্রয়প্রার্থীদের দ্বারা বাকি প্রায় ৪ লক্ষ বিঘা আবাদ করতে পারা যায় নি, এর ফলে কতটা ক্ষতি হয়েছে ভেবে দেখুন। কাজে কাজেই পরিষদকক্ষে আমাদের বন্ধুরা গভর্নমেণ্টের খাদ্যনীতি সম্বন্ধে যে আলোচনা করেছেন তার জন্য কৃতজ্ঞতা স্বীকার করছি। এবং আশা করি তাঁরা বুঝতে পেরেছেন যে এতটা অসুবিধা ও জটিলতা সত্ত্বেও আমরা এই প্রদেশে খাদ্যসমস্যার সম্মুখীন হতে পেরেছি। ত্রিশ লক্ষের উপর আশ্রয়প্রার্থী ভাইবোনেরা এখানে এসেছেন গত মার্চের্চর মধ্যে। দু'মাসের মধ্যে যে দেশে ত্রিশ লক্ষ লোক বেড়ে গেল, সে দেশের খাদ্যসমস্যা যে জটিল হবে সেটা কিছু আশ্চর্য্য নয়, কিন্তু বড় কথা হচ্চে এই হঠাৎ অতটা লোকবৃদ্ধিসত্ত্বেও আমরা যে আমাদের খাদ্যসংগ্রহ নীতি ঠিক-ভাবে বজায় রাখতে পেরেছি। বরং গত বছরের তুলনায় এ বছরে বেশী সংগ্রহ করতে পেরেছি। ১৯৪৯ সালের জানুয়ারী থেকে ২৭শে সেপ্টেম্বর পর্য্যন্ত ৩ লক্ষ ৩৩ হাজার ১৯৭ টন চাল সংগ্রহ হয়েছিল, সে জায়গায় ১৯৫০ সালের সেপ্টেম্বর পর্য্যন্ত সংগ্রহ হয়েছে ৩ লক্ষ ৯৫ হাজার ৫৪০ টন। অর্থাৎ গত বছরের তুলনায় এবারে প্রায় ১৭ লক্ষ মণ চাল বেশী সংগ্রহ করতে পেরেছি এবং এখনো আমরা সংগ্রহ করে চলেছি। এই সংগ্রহ কার্য্যে রাস্তাঘাটের অসুবিধার জন্য আমাদের খুব মুস্কিলে পড়তে হয়। দিনাজপুরে আমাদের প্রায় ৪ লক্ষ মণ চাল সংগ্রহ হয়ে পড়ে আছে, সেখানে রাস্তা না থাকার দরুন আনা যাচ্ছে না। আমাদের খাদ্যবিভাগ থেকে মণ প্রতি এব

আনা করে ধরে গ্রাম্য রাস্তা মেরামত করার জন্য ব্যয় করছি। কিন্তু আমাদের গ্রামের রাস্তা কতটা খারাপ তা আপনারা অনেকেই জানেন। আজকাল একটা রাস্তা তৈরী করতে, আগে যেখানে দশ হাজার টাকায় হতো, সেখানে তার পাঁচ গুণ বেশী খরচ পড়ে। কাজেই এই পথঘাটের সমস্যাও আমাদের খাদ্যসমস্যার জন্য অনেকটা দায়ী। পথঘাটের অভাবের দরুন অনেক জায়গায় চাল মজুত থাকা সত্ত্বেও ঠিকমত বিলির ব্যবস্থা করা সম্ভব হয় না। একজন বন্ধু বলেছেন যে কুচবিহারে চালের অবস্থা খারাপ হয়েছে, কিন্তু কুচবিহারে আমাদের অনেক চাল মজুত আছে, পথঘাটের অভাবে ঠিকমত কাজে লাগানো যাচ্ছে না। এমন কি কোন কোন জায়গায় মণ পিছু ৬।৭ টাকা পর্য্যন্তও খরচ করেছি চাল বয়ে আনবার জন্য, কিন্তু কোন জায়গায় আবার এত খরচ করেও লোক পাওয়া যায় না। দার্জিলিংএর রাস্তা যাট বছরের পর রাস্তা মেরামত ও তৈরীর জন্য সরকারের তরফ থেকে সেখানে ৭।৮ হাজার লোককে কাজ দেওয়া হয়েছে। সেখানে শুধু পুরুষ মানুষরাই কাজ করছে না, মেয়েরা এবং ১০।১২ বছরের ছেলেরা পর্য্যন্ত কাজ করে বেশ উপার্জ্জন করছে। কাজে তাদের উৎসাহও পরিলক্ষিত হচ্ছে, একরকমভাবে ৮ হাজার লোককে কাজে নিযুক্ত করা মস্ত বড় একটা relief। আমরা কোন কোন জায়গায় ৬।৮০ টাকা ৭৲ টাকা পর্য্যন্তও মণ পিছু চাল বয়ে নেবার জন্য খরচ করতে প্রস্তুত আছি কিন্তু লোক পাওয়া যায় না অনেক ক্ষেত্রে। আমাদের রাস্তাঘাটের সমস্যা যে শীঘ্রই সমাধান হবে তা বলা যায় না।

আপনারা জানেন আমাদের ছোট ও মাঝারি স্কীম যেমন রয়েছে তেমনি বড় বড় স্কীমও রয়েছে। এর মধ্যে ময়ূরাক্ষী স্কীম--যেটা আমরা আরম্ভ করেছি--সেটা ১৯৫১ সালে হয়ে যাবে এবং এটার ফলে তিন লক্ষ বিঘা জমিতে চাষ হবে। দামোদর স্কীমটা শুধু পশ্চিমবঙ্গ গভর্ণমেণ্ট করেন না, সেটার মধ্যে ভারত গভর্ণমেণ্ট ও বিহার গভর্ণমেণ্টও রয়েছেন, এটা সম্পূর্ণ হতে দেরী হবে। কিন্তু ময়ূরাক্ষী স্কীম ১৯৫১ সালের মধ্যে যে পর্য্যন্ত হবে, তাতে করে তিন লক্ষ বিঘা জমিতে আমরা ধান উৎপন্ন করতে পারব।

মাননীয় স্পীকার মহোদয়, আমি খুব কৃতজ্ঞ যে আমাদের দেশের জটিল খাদ্যাবস্থার সম্বন্ধে আমি পরিষদ সদস্য মহোদয়দের বিশদভাবে বোঝাবার সুযোগ পেলাম। অন্যান্য বার খাদ্য সম্বন্ধে যে ধরনের সমালোচনা এখানে করা হতো এবার তা হয়নি, সেইজন্য আমি ধরে নিয়েছি যে সকলেই সমস্যাটা ভালো করেই উপলব্ধি করেছেন। সব শেষে, রাজ্যপাল মহোদয়ের অভিভাষণে আমার সমর্থন জানাচ্ছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Mr. Speaker, Sir, before I commence my talk I owe an apology to my friend Sj. Basantlal Murarka because I have to talk in a language which is not the Rashtrabhasha. It is not that I am not able to speak somewhat in the language of which he is talking, but I have to think in terms of those who do not understand the Rashtrabhasha. Even if he be in a minority of one, I have to consider his requirement as much as the fact that we should follow the usual procedure of talking in the Rashtrabhasha. I know that Mr. Walker or my friend over there Mr. Clarke would not be able to follow the Rashtrabhasha and I have got to consider their cases also.

Sir, yesterday and the day before we heard a lot of criticism - some critical, some cynical, some political, some mixture of all these three. They cover a variety of subjects. I wish the criticisms were more well-founded and better grounded upon facts and realities of life rather than talking, if I may say so, in air. I am not afraid of criticism of the action of Government because any live Government is bound to excite some people or other into criticizing its activities. A dead man has no enemies. The more living you are, the more active you are, the greater is the chance of your activities being criticized by those who do not see eye to eye with you, but in all these criticisms one expects some constructive element. If they are merely criticisms for the purpose of obtaining applause here and there or for talking to the people outside instead of talking to the legislature, one begins to think that such criticisms proceed from people who do not appreciate the value and the privileges, the powers and the responsibilities of a legislature.

The subjects dealt with by my friends here during the last two days cover, as I said, a wide variety of subjects. Some speakers spoke about the

flood that has taken place in Diamond Harbour and Basirhat subdivisions. I may inform the members of this House that we are alive to the situation. Our estimate is that 5,000 acres in Basirhat subdivision and 28,000 acres in Diamond Harbour subdivision have been affected by the recent flood. We are aware of the difficulties that would arise subsequently because the salt water crossing over the bunds would prevent further cultivation—at least would affect markedly the cultivation—in these areas. Although the embankments are not to be protected by the Government—it is the responsibility of the people, the lease-holders, who have got the land under their control—yet the Government have taken all steps to relieve the people that are affected. Large sums of money have been distributed. The Magistrate has gone round to different parts of the district and has travelled over 300 miles in those areas in the last two or three days in order to get a view of the situation that is existing there. As soon as he comes back, it would be our duty to see that the embankments are put right. It could not be done earlier because at the full-moon time it is impossible to repair embankments. We have got to wait till the next phase of the moon.

My friend Mr. Charu Chandra Bhandari has referred to the fact that certain lands which had been taken in the Diamond Harbour area have not been paid for. I may tell him—he is not here—his friends can communicate this news to him that all lands taken after partition have been paid for, but there are some liabilities with regard to lands which were taken for construction of road in the Diamond Harbour area before the partition which have not been met because of the legal difficulties about which every member of the legislature is aware.

My friend Mr. Sibnath Banerjee has characterised the report which was included in the speech of His Excellency regarding the opening of schools as bluff—he called it mischievous, he called it a misstatement. There are some people in this world who have no confidence in themselves. Naturally, they cannot have any confidence in others. It always proceeds from a sense of want of self-confidence in oneself. He is aghast at the idea of so many schools being opened and so many teachers being appointed. I may tell him that there is one mistake, for which I am very sorry, in the printing of the speech that was delivered. The number of teachers that have been appointed is shown as 400—it is really 1,400, but these 1,400 do not represent the total number of teachers who are employed in these new schools. They were the total number of refugee teachers who are employed in these schools and His Excellency was then talking of the refugees and the value of the services they rendered. As a matter of fact, I find that since the time that the speech was first written and printed, the number has increased—the total number of scholars in the schools of refugees is 82,975 and the total number of teachers appointed is 17,096. These are refugee teachers. There are other teachers who do not belong to the refugee group.

Then he made another remark. He was facing a problem which he could not understand how to solve and, therefore, he said "You talk of 10 lakhs of people being rehabilitated—how could you have huts for so many people?" Does he know that the total number of houses and huts that have been erected by the Government both in the area such as Habra as well as in border areas, the hutments which have been made in the different camps, the huts which have been built by the different District Magistrates, the huts which have been built by the Government in different colonies with loans advanced by Government in 24-Parganas, Jalpaiguri, Murshidabad, Nadia and other places, the huts which have been built by refugees themselves with Government loans on lands secured for them and the huts or houses for the building of which galvanized iron

sheets and cement have been given—the total number comes to 196,113 and taking 5 people for each hut, it is not a very difficult calculation to find out how 10 lakhs of people have been rehabilitated. If it can convey any meaning to him, I would give him one copy of the statement which has been prepared and in which he will find that there is no bluff indicated because a bluff given to the refugees is a bluff given to the Government itself. I am not so careless in my expressions or words that I am using and I am saying that Mr. Sibnath Banerjee was indulging in what I may call terminological inexactitude when he used this expression.

The next question that has been raised in the course of the debate is that there should have been nautical schools and technical schools. I can tell the members of the House that there are two nautical schools already started. Dozens of youngmen of the Indian Union have been taken already both in inland steamers as well as in sea-going steamers. With regard to technical schools a provision is now made for 750 boys to be taken this year in the different new technical schools that are opened.

Dr. Suresh Chandra Banerji wanted to know whether every one of the technicians so educated and so instructed would get appointments. Nobody can guarantee that, but the need for technicians in this country is so great that I am positive that as soon as these technicians will be available not only would they get service but they will render efficient service to the growth and development of this province.

Mr. Sibnath Banerjee perhaps never cares to look into facts. He simply sees the reference to the Damodar Valley project and the Mor project in His Excellency's speech and says that money is not there and therefore progress has not taken place. As a matter of fact, so far as the Mor project is concerned, we are in advance of our schedule. While we had projected to finish it in 1952, we are going to finish it in 1951. With regard to the Damodar Valley project I admit that there was delay last year for this reason, namely, that money was not available from the Centre. Probably, members are aware that money needed for the Damodar Valley project is contributed by three parties—the Government of India, the Government of Bihar and the Government of West Bengal. We have the largest share in the contribution to the Damodar Valley project, but for the time being all these contributions are made in the form of loans debited to the different Governments, and last year it was difficult for the Government of India to provide the loan as quickly as the Damodar Valley people had desired. Secondly, there was difficulty in choosing the proper type of machinery for the Damodar Valley project. I may tell the members of this House that through the efforts of myself and of the Hon'ble Bhupati Majumdar it has now been possible to have an Advisory Committee on which the members of the three Governments meet to discuss the development of the Damodar Valley project, and I can assure you in this behalf that we keep an eagle eye on the progress made in the Damodar Valley project.

Mr. Sibnath Banerjee has talked about the Howrah Improvement Trust. I have taken this matter in hand and I have gone through it fairly carefully, but the difficulty arose because as in the case of the Calcutta Improvement Trust the Government has to contribute Rs. 40 to 50 lakhs in order to form the first corpus round which grows the Improvement Trust. People do not think about these matters. They only think that what the Improvement Trust has to do is to take a piece of land, advertise, notify, take the land and then sell it to the highest bidder. But between the time the land is taken, developed and resold there is the time lag, and unless we have got some block account to operate upon during the first period of development it is impossible to have the active progress of any Improvement Trust, but

I can assure Mr. Banerjee that the Government is quite alive to the problem of Howrah, and we are considering ways and means, and as soon as the financial position allows us it will be taken in hand speedily.

As regards the paucity of nurses about which Mrs. Bhowmick complained, I admit that in some cases there were some reports about the difficulty of nurses in different institutions. Government has got the matter in hand, and we are going to investigate as to how to increase the number of nurses in the different hospitals in West Bengal. It may be a news to the members here that for the first time in the history of Bengal a particular institute in Burdwan has been set apart entirely for training of nurses. Ordinarily nurses are trained in ordinary hospitals where they perform part duties and are given some honorarium or monthly allowance until they are completely trained and then they become staff nurses. This is one method of training—not a very satisfactory one, and therefore Government decided —and it has been put into operation last year—to put in a large number of nurses—last year it was 50, and this year it is 80 in the Burdwan hospital where they will be trained as ordinary students who will be given some nursing work to do, but who will also be given some amount of tutorial work so as to absorb the principle of nursing and to be able to man the different institutions which are being opened every day.

I think it was Mr. Badrudduja who mentioned about 159 buses. It seemed to me that members here do not care to understand the principle behind this new system or to understand the reason why the Governor's speech has been introduced in the Assembly and why an opportunity has been given to the members for commenting upon it. As my honourable friend Mr. Sarker has pointed out this system was introduced for the purpose of concentrating on one or two important matters of policy of the Government as given in his speech. I have also to refer to the different items of legislation coming during the ensuing year.

The case of 159 buses is a matter which is appearing in the press, and propaganda has been carried on, and it was sought to put it as an amendment to the Governor's speech. I do not know what relation 159 buses plying in Calcutta has to do with the speech of His Excellency the Governor. The position is that 159 permits were given temporarily in 1945 for three years; in 1948 the permits ceased to have effect. At that time, the Government of West Bengal thought of introducing the State Transport system in sufficient numbers, so that they might be able to take up the work of the temporary permit-holders. There are two reasons why the Government chose to do so. Apart from the scheme of nationalising the Transport system there is the other proposition that permits for these 159 buses were being held by only 19 people, of whom it was discovered ten were undesirable from various points of view. Many of them have gone away to Pakistan. Some of them were found guilty of various acts for which it was not desirable to continue their permits. But what struck me as most important is that while we are not able to distribute bus permits to a large number of people who are anxious to have them there are one or two or three men who are having 16 or 17 permits to their credit. They are more or less a sort of vested interest which the Government was not prepared to accept, and therefore while Government have accepted the position that none of the buses now plying would cease to ply, the total number of buses remaining the same, the permit-holders should not continue to enjoy the privileges to which, I think, they are not entitled.

With regard to the election to the Calcutta Corporation and the District Boards, to which my friend Dr. Suresh Chandra Banerjee has referred, I may tell the House that the position was that in the case of Calcutta

Corporation a large number of applications began to be coming in to include the names of various persons whose names were not included in the preliminary roll. So we had given an extension of time, and it was necessary to scrutinise the list and then to publish the scrutinised list. This will take some amount of time before the final list can be published and then the election can take place.

With regard to the District Boards the position is that in two of the districts in particular, Nadia and Dinajpur, the report is that the population there has so changed during the last disturbances that many of those who were on the roll which was prepared on the basis of payment of taxes last year, i.e., 1949, electoral roll, have ceased to be residents of the districts and many have come who were not on the roll. It was the desire of the District Officers and the Commissioner and my colleagues to see that these men also get an opportunity of putting in their names on the electoral roll which meant a postponement of election for a certain time. No one is more anxious than I am to see that a nominated body should not continue to operate for a longer period than is essential, but it could not be helped.

As regards the release of political prisoners, my friend Mr. Sibnath Banerjee, in spite of the fact that he differed from the Communists, as he said, was asking the Government to consider their claims.

Sj. SIBNATH BANERJEE: On medical grounds.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I was thinking that his vision was bigger and broader than that, and he was talking on humanitarian grounds.

Now, Sir, out of the total number of 1,122 persons who were there, from the 1st of January nearly 533 persons have been released altogether, and 589 persons, not merely of the group belonging to the Communist Party but other groups also, are in detention yet.

With regard to the next point that has been raised on the question of the abolition of Zamindary, members are aware that I made a statement in the House during the Budget session. We are finding out the details of the programme that was laid before the House, which was this that the land should belong to the tiller, the actual cultivator; secondly, that he should get an amount of land which would make him economically self-sufficient. It is not an easy proposition; it is not just taking up a map and saying that these are to be divided into so many pieces amongst so many people. There are various factors to be considered. I may tell the House that we have taken up one area and we are going to make a proper investigation. It is true that there are other provinces which have gone ahead of us, but in what they have gone ahead is in passing a legislation. Take our neighbouring province of East Pakistan. They have passed legislation but they have not as yet been able to take any active steps towards the abolition of zamindaries, because the problems are so much difficult.

With regard to Bengal, the problem is even more difficult in one way because Bengal has got a tenancy legislation different from the rest of India. Here the tenant has got the right which is practically the right of ownership to the land. Therefore, as Edmund Burke has said, "Compute your gains when you make a change so that your change is better than what it was before". And therefore we are going cautiously.

My friend from Cooch Behar has pleaded for Cooch Behar employees. I am afraid he has forgotten all the terms of that notification or announcement. The terms were that those who would be employed would be taken

on the same terms and conditions that were obtaining before the merger took place; if they were to be removed sufficient compensation would be paid. I am free to confess that there are a large number of officers who are not very high in their attainments on the administrative side. We are trying to alter the situation to a certain extent but I assure my friend that the interests of the present incumbents would always be looked into. As a matter of fact, only the other day some of the clerks reported to us that although following the rules of the Indian Union an officer cannot work beyond the age of 55, if he was employed under the Cooch Behar Rules it permitted him to go on till 60, and therefore he demanded his right to continue up to 60 and the Cabinet accepted that demand.

With regard to co-operation, my friend Mr. Mudassir Hossain is not here, he is an expert in the matter as others are who are connected with the movement. I wonder whether they understand the meaning of the word "co-operation". I am not making any reflection on the individual members —they are esteemable gentlemen,—but co-operation is a matter in which it is necessary to have a psychology and approach which is different from the ordinary approach. What does an ordinary man do? I as an ordinary man want to have my own self-interest, and have nothing to do with that for which I have to sacrifice my own interest in the interest of my neighbours. But co-operation requires a spirit of common interest, and therefore that spirit has to be attained. And I do say that that spirit should be developed. But whether you can do so for that group of people whom you call refugees is a different matter. His psychology, his temperament, his attitude towards life and approach towards the problem of daily needs are such that it is not possible for him to understand the principle and the need of working in co-operation. But my friend Mr. Das Gupta has said that out of 153 co-operative societies that were started only a few have survived. It is quite natural. We have a town planning committee which is receiving thousands of applications from co-operative societies, but it was found that those co-operative societies which have an authorised capital of Rs. 5 lakhs have a subscribed capital of only Rs. 500. They want to take 250 bighas of land: the amount of money to be put for development is Rs. 1,500 which shows that they have meant well but they do not appreciate or understand the value of having these things in a co-operative fashion.

Now, there is one subject about which my friend Mr. Sibnath Banerjee was very enthusiastic. He spoke about curtailment of civil liberty. I think he was arrested on the 12th as a preventive measure and many of his friends were arrested. We arrested 40 people two or three days before the 12th, and it saved the whole city and the surrounding areas consisting of more than 40 lakhs of people from being immersed in rowdism and mob violence. I consider that to be a cheap method of obtaining peace and tranquillity. If civil liberty means criminal liberty that one man can put the lives of hundreds and thousands of people in jeopardy, then I say that that liberty must not be encouraged. I am no less a defender of civil liberty than any of my friends on the other side. I do say, liberty is not licence: liberty imposes some amount of restriction that while you ask liberty for yourself you have no right to impose restrictions upon the liberty of others. Freedom of others should be as precious as freedom of yourself. Sir, he has given us a wonderful picture of what is going to happen. With the seizure of power, he said, they will become masters of factories. I shall welcome the day when they become really masters. I shall welcome the day when they have got the qualification to seize power—not by shouting slogans, not by simply making a statement in the legislature, but by actual service, by actual work in such a way that it could be shown that we are working in the interest of the workers themselves. As my friend

Sri Kalipada Mookerjee has said that in most cases the labour leaders have become active political leaders, they do not serve the interests of any particular group or any trade union as much as they serve the interests of their own political objective. If that is the way of the seizure of power, they are welcome because in a free India it is open to any one to give expression to his own views and get it accepted by the people, not by force, not by coercion, not by putting undue pressure, but by argument, by adjustment, by compromise, by reason, and then only we can satisfy the demands of democracy.

Sir, now I come to the two questions that remain to be discussed—one is the question of black marketing and the other is the question of the refugees.

Mr. DEPUTY SPEAKER: Dr. Roy, it is my painful duty to interrupt you at this stage. This is prayer time and I adjourn the House for 15 minutes.

(At this stage the House was adjourned for fifteen minutes.)

(After adjournment.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Mr. Speaker, Sir, I was saying that two of the important subjects dealt with by most of the speakers and matters in which the public are greatly exercised and interested are the subjects of black marketing and profiteering and as to what steps the Government have taken to meet this menace, and secondly, the problem of the refugees. Sir, with regard to black marketing, to deal with the black marketers we have in our armoury two weapons—one is the Black Marketing Act which curiously enough provides for a minimum sentence of six months and a maximum of seven years' rigorous imprisonment to every person found guilty, and there is also what is called the Essential Supplies Act where there is no minimum punishment, the maximum is imprisonment for two years. Sir, under the first Act which really is applied to persons of substance, men who are guilty of trading in really large quantities and black marketing them, there were 16 cases within the last six months of which 3 have ended in conviction, 7 cases are before the Tribunal and one has been withdrawn. The cases of the other two or three are being investigated. Sir, the Black Marketing Act provides that the case would be tried by a Tribunal and not by an ordinary Magistrate and that is why a little cumbrous procedure has to be followed before a case can be put up before the Tribunal.

With regard to the Essential Supplies Act, between March and August, that is, the last six months, 1950, 1,815 persons were prosecuted in Calcutta of whom 1,418 have ended in conviction and 61 were discharged. Of these at least two have been sent to prison for one year. In the districts in Bengal there have been 3,621 prosecutions, 2,734 convictions and 755 discharges. The total amount of fines levied on these men were over a lakh of rupees, and the amount of goods which have been confiscated is Rs. 1,71,654. In the case of Calcutta the valuation of goods seized is over Rs. 3 lakhs worth. So we are trying our level best to see that black marketing and profiteering are not indulged in. Many of the members are aware, and public are aware that a few weeks ago just after the Korean War started, the spice merchants in Calcutta suddenly shot up the prices of spices, particularly the wholesale dealers. In one day or rather in two days we arrested 37 of these dealers and put them in jail, and then they were released. I was given an undertaking that they would abide by the decision of the Government with regard to the prices at which they would

be selling their goods to the retail dealers. Similarly, in the case of medicine in certain cases the medicine dealers were arrested and several of them were prosecuted whenever they were found to have gone beyond the limits prescribed by law. Therefore, I maintain that the statement made in His Excellency's speech with regard to the steps taken against black marketing and profiteering is quite correct.

My last subject is the question of refugees. As I listened to the different speeches in the House, I was pained to find that this problem of refugees which should be above community and above party interests, has been made a matter of community and party interest, and we have heard the wonderful gems of expressions used by my friend Mr. Badrudduja. He, to my mind, ran amuck. He spoke in a language which was very much unheard of even in this Assembly. He said that this Government is a barbarous system of Government. Sir, hard words do not break any bones. I know that where there is sound and fury, it signifies nothing. He talks in hyperboles and he talked without proper figures and facts when he talked about these matters. He said that Police had failed to protect the minorities. I dare say he has got a Maker, a Providence whom he has got to face some time. Can he say with his hands on his heart that the Police did not protect him and his people? He has tried to make up that the Muslim refugees have been given differential treatment from the Hindu refugees. He has made capital of the fact that only Rs. 200 were allowed to a Muslim refugee. If he will kindly calculate—I hope he has got a pencil and paper—he will find what amount per head was spent on the refugees. Rupees 6 crores has been spent for ten lakhs of people who have come here as refugees. It comes to about Rs. 60 per head. Therefore, when he talks about Rs. 200 being insignificant, he is hard to be satisfied. He has got to realise that Government is unable to make up for all the losses which every man has sustained during the last disturbances. Has he forgotten that as there are Muslims there are Hindus also who have lost a great deal of their property and also their lives? He did not plead for them. He says that he belongs to a Secular State. A loyal citizen of a secular State will ask for relief to all. I can challenge, I can say without fear of contradiction that we in the Ministry have always looked upon the refugees as individuals who are afflicted, who are distressed, who are in difficulty, and who have lost their all. We tried to help every one of them. Who can forget what the Government of West Bengal did in the beginning of the trouble? Steamers were chartered, aeroplanes were chartered, special trains were provided. For what? To let the refugees of both communities travel from one side to the other in order that they may not succumb to the fear complex, in order that they may not get their minds more obsessed with the fear complex. Sir, is this the effect of the barbarous treatment of this Government? If this Government were barbarous, then Mr. Badrudduja would not have dared to make a statement on the floor of this House as he has done. Sir, he has said that the Muslims are starving. I would like to say that both the Hindus and Muslims are starving. My heart goes out in sympathy for them. Throughout the last year not less than three to four hours every day I had been trying to find out what is the best possible method of giving relief to those who have come here. Mr. Khuda Bukhsh tried to find out the difference between the Muslim refugees who have been displaced from their hearths and homes during the last riots and the Hindu refugees and also compared the amenities which have been given to the Hindu refugees with those of the Muslims. Sir I deprecate such methods. I will tell you one thing that we have tried to do our level best for the refugees as a whole. But there is a difference and nobody can but recognise that difference. Whereas a man belonging to West Bengal, be he a Hindu or a Muslim, who might have gone to Pakistan

and come back again has his connections here, has an economic atmosphere here, has commitments here, has friends and relations here, a man who has come from the other side bereft of his property, bereft of his home, bereft of his other belongings that he possessed, has practically nothing to fall back upon. He is really a displaced person. Therefore, the comparison is not so clear as one would like it to be. But there is a difference.

The second difference is that whereas Rs. 200 have been allotted to a Muslim refugee coming back for rehabilitation, in the case of a Hindu refugee, in the majority of cases, it has been a loan which the refugee has got to pay back again. Therefore it is not a proposition which should be viewed in that communal fashion. I would not have bothered to refer to these matters, but even if a little mud is thrown, some mud is likely to stick, and, therefore, I must make the position of the Government clear on this point. He has complained of the fact that the Muslims are not getting sufficient number of posts in the Secular State. Even if he is a Muslim, he is also a member of the Secular State and he must take his chance along with other members of the State. If there is any minority, as I said before, in this House, it is that group—the Europeans, the Anglo-Indians—who are really the minorities in this country. The Muslims who are members of this country, who are loyal citizens of the State cannot claim both special privileges as well as the privileges that are attached to the citizens of the State.

Sir, two references have been made as regards the discharge of the employees of the jute mills.

Sir, to make the point clear I sent for jute mills people and they refreshed my memory with what had happened on the 14th and 15th of April. Usually about the beginning of every year jute mills give ten days' holidays to their employees for which the employees are allowed to draw full salary provided they join on the opening day. If I am wrong, Mr. Walker will correct me. If I remember aright, a notice was circulated in the usual manner that those who want to enjoy the privilege of drawing the full salary for the leave period must join on the 14th April. I pleaded with them and I said that those men who had been displaced from their homes should be allowed to join on the 24th, even if they might not have been able to join on the 14th, and they agreed to my proposal. Further, later on Government representation there was a notice issued by the Jute Mills Association to its constituents which says, in deference to the Government's wishes—it is dated 20th May—now that quite a large number of workers are returning, the Association would not stick to the order that those men must come back on the 24th April and that it should not be rigidly enforced. In pursuance of that notice I understand from Mr. Walker that subsequently 1,200 men who came later on were employed. But when a gentleman here in this legislature spoke on this point about which we can find out all details and facts it is neither fair to me nor to the organisation for whom he is speaking nor to the honourable members who have little knowledge of those facts.

I will now refer to the general question of refugees. I have thought over it even more than any other member present here. I have felt that these men have come away leaving their hearths and homes and that no person—particularly an agriculturist—would leave his hearth and home with which he has been tied, probably if not for centuries, for generations, for going to an unknown destination. My friend Mr. Mudassir Hossain tried to explain it in a different manner. He tried to give an explanation that it was due to the temptation given by the West Bengal Government to them to come away from East Bengal. He has also said that it is because big zamindars have tempted them to come away that they have come away. Sir, these are

problems of psychology about which I know very little. But I know that a man who is a displaced person has a psychological approach which is different from that of ours. He considers himself to be a wronged man. He is a victim of circumstances over which he had had no control and he has had to suffer for no fault of his own. He finds that his means of livelihood is interfered with. Naturally he becomes mad. He feels that the world is against him and it is not very unusual to feel that under such circumstances he has to be dealt with in a differen' manner.

In this connection I would cite an incident to which a reference has been made in this House. The incident took place on the 19th September in Dhubulia camp. I would have been very glad if I could place all the facts that I have before the House. Three cases have been started under sections 302, 147 and 342, I.P.C., against the Commandant alleged to be responsible for the incident and the whole matter being *sub judice* I am precluded from mentioning anything about them. But I may say a few words about the general situation. As soon as I heard about the incident I asked our men to go and examine the position and to pacify the refugees by assuring them that Government will take all steps necessary against those who might be responsible for that incident. My Relief Commissioner, the Deputy Relief Commissioner, the District Magistrate and the Inspector-General of Police are all trying to find out the real facts about the death of Anukul Brahma, a refugee from Barisal in hut No. 75, Group camp No. 18. The Commandant has been removed from his job and the Relief Commissioner has made arrangement to relieve their distress and give them such other help as may be found necessary. Sir, Government extremely regret the occurrence of this unfortunate incident and deplore the death of the refugee. It is hoped under the new management it will be possible to maintain normalcy. All matters relating to the grievances of the refugees placed before the Relief Commissioner are being enquired into and redressed, where possible. Government have no intention of hiding anything or whitewashing any matter. It has been suggested that an order has been issued to disperse the refugees from Dhubulia camp. No such order has been issued. We desire to enquire into the causes and find out and punish the real culprits.

This question of refugees, as I have said before, is a difficult problem, particularly the question of their rehabilitation. I entirely agree that merely giving them shelter is not rehabilitation. You must place them in a position so that they can earn their livelihood to maintain themselves and their families. It is not an easy problem to solve, not merely because of want of money which is also scarce, not merely because the refugee is in want of materials which he finds difficult to procure, not merely because of want of communication to reach the refugee camps in different areas, but also because the refugees themselves are a difficult people to fit in the economic structure of the country to which they have come. It is possible that a man who was a rent collector and who depended upon the collection of rent from the land and cultivated his land through day labourers is a misfit in his new condition as a refugee in order to be able to earn his livelihood. I can tell you that about 40 per cent. of the people who have come over belong to this group, and it is difficult to get their mind engrossed in any other particular avocation to which they are not accustomed. The remainder, I am glad to say, are those who are able to take up their own thread of livelihood and they have fitted themselves in different areas. So a fisherman, a grocer, a blacksmith, an artisan, a potter, and a carpenter have very easily fitted themselves into our economic structure. As a matter of fact it will be surprising for you to note that on the border areas there are more than 375,000 people—agriculturists—who have occupied lands which have been vacated by Muslim migrants. Government is taking all steps to see that as soon as the cultivating season is over the land is made over to the returning

migrants. But in cases where the migrants are not returning, the lands will not be left fallow. The principle accepted by Government is that we should not allow—considering our troubles and difficulties in procuring foodgrains and other food articles—any land which is not being utilised and cultivated to remain fallow and uncultivated. Therefore in many cases Government have gone out of their way to provide plough, cattle and manure to those who have come from the other side and I know that this move has made it possible for us to get over the crucial days in the matter of food. You have heard from my friend, Mr. Sen, of the difficulties with which we were faced. Not that we have gone through all those troubles, but that we have not succumbed to the difficulties that faced us from time to time. It seems to me that this province has been afflicted both by nature, and many other sources have been at work—human ingenuity has been at work to destroy and dislocate the administration of the Government as such. Similarly, nature has played havoc with us. Earthquake, famine and floods —these three-fold fires have put the gross of the gold of the administration of West Bengal into test. Let us see if the administration of this province will get through it. We shall and I have a feeling that we will get through it. I am optimistic enough to feel that this refugee problem, however difficult it might be, would solve our economic problem in future. I am optimistic enough that given a little time to allow them to fit in the economic structure of the State they will not be any burden to us—they will be a blessing in disguise.

With these words, Sir, I commend the speech of His Excellency. (Applause.)

The motion of Dr. Suresh Chandra Banerjee that the following be added at the end of the address in reply, viz.:—

"But regret the omission of—

(*a*) any mention of any definite policy—

(*i*) as to the rehabilitation of refugees,

(*ii*) as to the control of black-marketing and reduction of the price of essential commodities,

(*iii*) as to equalising the price of rice in different parts of the State,

(*iv*) regarding labour;

(*b*) mention of any definite time of election to Calcutta Corporation and to District Boards of 24-Parganas, Nadia, Malda, West Dinajpur and Jalpaiguri;

(*c*) mention of any housing-scheme specially for the industrial labourers;

(*d*) mention of any scheme for the improvement of Calcutta bustees;

(*e*) indication of any Government action towards the abolition of the zemindari system"

was then put and lost.

The motion of Janab Mudassir Hossain that the following be added at the end of the address in reply, viz :—

"But regret to note that his Government has failed to discharge their responsibilities with regard to the exodus of Hindus from East Bengal and by their acts have accelerated the pace of such exodus and that they have failed to perform their primary duty of maintaining law and order in order to protect the Muslim citizens of

West Bengal specially of Calcutta, 24-Parganas, Howrah, Hooghly, Murshidabad, Burdwan, Bankura, Jalpaiguri, Malda and other places and also regret to find that they have failed to organise the people and infuse in them a spirit of unity and co-operation by introducing co-operative methods in order to create a united front for all-round development of the State by—

(1) increasing agricultural and industrial production to their utmost capacity;

(2) by laying out a network of roads, railways and waterways for free and easy communication;

(3) by bringing to the door of every citizen the benefit of education;

(4) by creating facilities for employment; and

(5) by improving the morals and discipline of the people and thus effectively playing the part of the Government of the people, by the people and for the people"

was then put and lost.

The motion of Janab Md. Khuda Bukhsh that the following be added at the end of the address in reply, viz.:—

"But regret the omission of—

(1) an indication of Government policy in regard to the land forcibly occupied by the East Bengal refugees and built upon;

(2) the Government policy being followed in the rehabilitation of displaced Muslims"

was then put and lost.

The motion of Janab Muhammad Sayeed that the following be added at the end of the address in reply, viz.:—

"But regret the omission of a clear indication of Government policy in regard to the derequisition of Muslim houses and lands and return of houses and lands to Muslims who left their villages during the disturbed atmosphere in the city and districts in accordance with the Delhi Agreement"

was then put and lost.

The motion of Sj. Sibnath Banerjee that the following be added at the end of the address in reply, viz.:—

"But regret the omission in the speech of any mention of—

(*i*) any attempt to expedite the Damodar Valley Corporation, Mouri and other projects by raising money in the State;

(*ii*) any attempt to abolish zemindari system;

(*iii*) any attempt to introduce adult suffrage in Howrah and other municipalities;

(*iv*) any attempt to implement the Howrah Improvement Trust Scheme;

(*v*) any attempt to bring down prices;

(*vi*) any attempt to check black-marketing;

(*vii*) any attempt or plan to bring about self-sufficiency in food;

(*viii*) any policy of granting adequate dearness allowance to all employees of the Government;

(*ix*) any policy regarding the refugees returning from Orissa;

(*x*) any attempt to tackle the housing problem in respect of workers and refugees;

(*xi*) any attempt to requisition all rooms in excess of 3 rooms per family of five;

(*xii*) any guarantee of civil liberty;

(*xiii*) the condition of the south-east frontier, i.e., the Sundarbans;

(*xiv*) the condition of Dhubulia Refugee Camp and the recent firing there"

then put and a division taken with the following result:—

AYES—1.

Banerjee, Sj. Sibnath

NOES—44.

Bandopadhaya, Sj. Pramatha Nath
Banerjee, Sj. Susil Kumar
Banerji, Dr. Suresh Chandra
Barman, The Hon'ble Syama Prasad
Bhandari, Sj. Charu Chandra
Bhattacharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chatterjee, Sj. Haripada
Clarke, Mr. C. E.
Das, Sj. Radha Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanailal
De, Sj. Kanai Lal
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Haldar, Sj. Kubes Chand
Mahanty, Sj. Charu Chandra
Mahtab, Sj. Uday Chand, Maharajadhiraj Bahadur of Burdwan.
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Mal, Sj. Iswar Chandra
Mallick, Sj. Ashutosh
Mandal, Sj. Annadaprasad
Mandal, Sj. Bankubehari
Mandal, Sj. Krishna Prasad
Mandal Sj. Umesh Chandra
Mookerjee, The Hon'ble Kalipada
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
Pramanik, Sj. Rajani Kanta
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Singh Sarker, Sj. Satish Chandra
Sarker, The Hon'ble Nalini Ranjan
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Walker, Mr. J. R.

The Ayes being 1 and the Noes 44 the motion was lost.

The motion of Janab Muhammad Idris that the following be added at the end of the address in reply, viz.:—

"But regret that no mention has been made regarding the difficulties of the returning Muslim migrants and further regret to note that the Government has not been successful in rehabilitating them in many cases"

was then put and lost.

The motion of Janab Syed Badruddaja that the following be added at the end of the address in reply, viz.:—

"But regret that the speech makes no reference to the sufferings and miseries of Muslims more specially of uprooted Muslims in the State; that it omits to mention anything about attempts made by some Government officials immediately before and after conclusion of the Delhi Pact to encourage and indirectly force migration of a large number of Muslim citizens of the State; that it is silent about the question of rehabilitation of returning migrants from East Bengal and Government policy thereof; that it does not

refer to the unfortunate cases of thousands of Muslims dismissed from their jobs in the industrial areas with either no notice or notice bad in law; that it does not even indirectly hint at the fast deteriorating condition of Muslim citizens of the State for lack of facilities in trades, in the services and in all other spheres of life"

was then put and lost.

The motion of Sj. Shyamapada Bhattacharyya that a respectful address in reply be presented to His Excellency the Governor as follows:—

"Your Excellency,

We, the Members of the West Bengal Legislative Assembly assembled in this session, beg to offer our humble thanks to Your Excellency for the most excellent speech which Your Excellency has delivered to this House"

was then put and agreed to.

ORDINANCES.

The West Bengal Disturbances Commission of Enquiry Ordinance, 1950 (West Bengal Ordinance No. VII of 1950).

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with your permission I beg to lay before the Assembly the West Bengal Disturbances Commission of Enquiry Ordinance, 1950 (West Bengal Ordinance No. VII of 1950), under Article 213(2)(*a*) of the Constitution of India.

The Calcutta Municipal (Amendment) Ordinance, 1950 (West Bengal Ordinance No. V of 1950).

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to lay before the Assembly the Calcutta Municipal (Amendment) Ordinance, 1950 (West Bengal Ordinance No. V of 1950), under Article 213(2)(*a*) of the Constitution of India.

The West Bengal Dental Board Ordinance, 1950 (West Bengal Ordinance No. VI of 1950).

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with your permission I beg to lay before the Assembly the West Bengal Dental Board Ordinance, 1950 (West Bengal Ordinance No. VI of 1950), under Article 213(2)(*a*) of the Constitution of India.

The Legislative Assembly of West Bengal (Removal of Disqualifications) Ordinance, 1950 (West Bengal Ordinance No. XII of 1950).

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with your permission I beg to lay before the Assembly the Legislative Assembly of West Bengal (Removal of Disqualifications) Ordinance, 1950 (West Bengal Ordinance No. XII of 1950), under Article 213(2)(*a*) of the Constitution of India.

The West Dinajpur Union Boards Ordinance, 1950 (West Bengal Ordinance No. IX of 1950).

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to lay before the Assembly the West Dinajpur Union Boards Ordinance, 1950 (West Bengal Ordinance No. IX of 1950), under Article 213(2)(*a*) of the Constitution of India.

The West Bengal Security (Second Amendment) Ordinance, 1950 (West Bengal Ordinance No. XIV of 1950).

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with your permission I beg to lay before the Assembly the West Bengal Security (Second Amendment) Ordinance, 1950 (West Bengal Ordinance No. XIV of 1950), under Article 213(2)(*a*) of the Constitution of India.

The Bengal Finance (Sales Tax) (West Bengal Amendment) Ordinance, 1950 (West Bengal Ordinance No. X of 1950).

The Hon'ble NALINI RANJAN SARKER: Sir, I beg to lay before the Assembly the Bengal Finance (Sales Tax) (West Bengal Amendment) Ordinance, 1950 (West Bengal Ordinance No. X of 1950), under Article 213(2)(*a*) of the Constitution of India.

The West Bengal Collective Fines Ordinance, 1950 (West Bengal Ordinance No. XIII of 1950).

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to lay before the Assembly the West Bengal Collective Fines Ordinance, 1950 (West Bengal Ordinance No. XIII of 1950) under Article 213(2)(*a*) of the Constitution of India.

The Indian Red Cross Society (Bengal Branch) (Amendment) Ordinance, 1950 (West Bengal Ordinance No. VIII of 1950).

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to lay before the Assembly the Indian Red Cross Society (Bengal Branch) (Amendment) Ordinance, 1950 (West Bengal Ordinance No. VIII of 1950), under Article 213(2)(*a*) of the Constitution of India.

The West Bengal Security (Amendment) Ordinance, 1950 (West Bengal Ordinance No. XI of 1950).

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to lay before the Assembly the West Bengal Security (Amendment) Ordinance, 1950 (West Bengal Ordinance No. XI of 1950), under Article 213(2)(*a*) of the Constitution of India.

Laying of amendments to the Bengal Motor Vehicles Rules, 1940.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to lay before the Assembly the amendments to the Bengal Motor Vehicles Rules, 1940.

Laying of Rules framed under the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, in the absence of my friend Rai Harendra Nath Chaudhuri, may I move the motion?

Mr. SPEAKER: Yes.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to lay before the Assembly the Rules framed under section 47(3) of the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950.

GOVERNMENT BILL.

The West Bengal Prohibition of Smoking in Show Houses and Public Halls Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the West Bengal Prohibition of Smoking in Show Houses and Public Halls Bill, 1950.

(Secretary read the short title of the Bill.)

Sir, I beg also to move that the West Bengal Prohibition of Smoking in Show Houses and Public Halls Bill, 1950, be taken into consideration.

Sir, in moving this motion I desire to make it clear that the object of the Government in the first place was to include other places of public resort in the provisions of the Bill, namely the tram cars, motor vehicles, etc., but as we have no machinery to look after the larger number of places of that type, we have now introduced a Bill only of a limited scope. The second point that I want to make clear is that "show houses" refer to places that include structures used occasionally or ordinarily for demonstration or exhibition to the public whether on payment or otherwise of cinematographic films or dramatic performances, etc. I want to lay particular stress upon these two words of the definition, namely, that there should be a demonstration and that that demonstration should be open to the public and any private organisation or private audience would not be affected under the Bill.

The motion was put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Sj. SIBNATH BANERJEE: Sir, I think after the laying of the Ordinances the House would be adjourned. There is none in the Opposition except myself.

Mr. SPEAKER: There can be no question of adjourning the House in the midst of the consideration stage as we have not reached the scheduled time yet.

The Hon'ble Dr. BIDHAN CHANDRA ROY: For Heaven's sake let us proceed with the Bill.

Sj. SIBNATH BANERJEE: Then I shall speak on every clause.

Mr. SPEAKER: That you can do.

Clause 2.

Sj. SIBNATH BANERJEE: I want to speak on this clause. Will Secretary kindly supply me with a copy of the Bill?

(A Bill was supplied.)

I think smoking is a very good thing and should not be prohibited at all. Though I do not smoke, the right of the smokers must be safeguarded.

Mr. SPEAKER: Is that relevant? We are discussing clause 2.

Sj. SIBNATH BANERJEE: As I was saying, the right of smokers should be safeguarded. If it is to be stopped it should be stopped in trams and buses. That was the amendment of somebody but it has not been moved. If you want to have the vandalism of stopping smoking in cinemas and theatres you must stop it in public trams and buses. There it is really

a nuisance. I have seen people entering a bus smoking and then in the crowd burning the body of somebody else when an altercation ensues. So let Government come to the logical conclusion and include trams and buses.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Sj. SIBNATH BANERJEE: Sir, I want a division.

Mr. SPEAKER: You are late, Mr. Banerjee. But did you really want it?

Sj. SIBNATH BANERJEE: Yes, because now I want to take a hostile attitude as you want to proceed with the Bill.

Mr. SPEAKER: Mr. Banerjee, the scheduled time for our business is 7 p.m. and up to that time the House is entitled to sit. So I do not think you are justified in adopting a hostile attitude.

Sj. SIBNATH BANERJEE: Sir, I have pointed out to you that others have gone away and that only one man, that is, I am here. I have made an appeal and it has gone unheeded to. If they are not reasonable, Sir, I have the right to be unreasonable.

Mr. SPEAKER: I wish to draw your attention to this that this House is scheduled to sit from 4 to 7, and it is the duty of every member to sit up to 7 p.m. If there is a failure on the part of members to do so, that cannot be the reason for postponing the business of the House. Therefore the attitude you have taken is most unjustified. You are certainly justified, however, in opposing the clauses and you are justified in saying what you have got to say.

Sj. SIBNATH BANERJEE: Sir, it is a serious matter now although it started as a joke. Sir, the privilege of a member cannot be allowed to be jeopardised in this way.

Mr. SPEAKER: Will you please define the privilege.

Sj. SIBNATH BANERJEE: Yesterday we sat for more than fifteen minutes after the scheduled time and I did not object to that. But today when no other member except myself is present——

Mr. SPEAKER: Unless and until you define the privilege there is no sense in raising the point. What is the privilege?

Sj. SIBNATH BANERJEE: Mr. Speaker, you made an observation that my attitude is unjustifiable. I am trying to justify by giving reasons why I think that my attitude is not at all unjustifiable. As I said once—I repeat it—a request from the Opposition, from the Leader of the one-man Opposition, to adjourn it before 10 minutes was a very reasonable request. We have not been able to go through the Bills and to go through all the provisions, because a bunch has been laid on the table. Therefore it would have been only fair to the House to allow everybody some time. Those who want to speak, those who want to contribute to the debate, let them have an opportunity but the Leader of the House was not willing to do so and therefore I have requested it to be adjourned. It was not adjourned and I must bow down to your observation, but there was no ruling given and an opinion was expressed that my conduct was unjustified. It is a very serious matter, I say. I think I am quite justified in utilising all the provisions (The Hon'ble Dr. Bidhan Chandra Roy: In obstructing the House?) Yes, the Opposition has a right to obstruct the House and the Leader of the House should know it and should bow down to the age-old

tradition of the Parliament. It has been done in other countries, it has been done in the Mother of Parliaments, and those who are sitting today on the other side while sitting on this side have done that. It is not a new thing even in this House. Even in this House, not Dr. Roy, but others—some of them are not here and some are dead—have done the same thing sitting on this side along with me. Now, today sitting on that side you say obstruction is wrong. I do not think you are very logical; you may be right but you are not logical. You may be right because you have the might. But the Opposition has a right. I feel that my army is not present today; so I am adopting delaying tactics for my army to land at Inchon.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Is it possible for one person to obstruct the work of the whole House? I have never seen such a thing. He calls himself the leader of the whole Opposition. Who has created him the Leader of the Opposition, may I know? He can speak, he can talk, but he cannot obstruct the proceedings of the House. We shall go on sitting till 10 o'clock.

Mr. SPEAKER: I wish to make the position clear. There is no necessity of any further debate. The position is, the House is scheduled to sit from 4 to 7. If the House sits after 7, then if the Opposition does not want to sit after 7, I shall certainly give due consideration to the objection. Unless and until all the parties agree to the House sitting after the scheduled time, certainly I will not continue, but within the scheduled time it is a matter entirely for the whole House as to whether it wants to go on or whether it does not want to go on. There is no privilege vested in a member as a matter of right that whenever he asks the House to adjourn, if the House is not adjourned he is entitled to complain about it. That is a thing which ought to be clearly understood. There is no such right inherent in a member to say that the House must not proceed and the House must adjourn. Therefore, that is the position which you must understand.

Sj. SIBNATH BANERJEE: Mr Speaker, I entirely agree with you. I have no right to demand that the House should stop now but I have a right to request. That request has been rejected. Then I have the right to resent that rejection of the request and I can be obstructive. It is my privilege to become obstructive when my reasonable request is not conceded or is not granted. I cannot demand adjournment; it is for the Leader of the House to demand that the House should now adjourn. Yesterday we sat up to 7-15; some time we have adjourned before 7. It is your will but you are guided in this matter by the Leader of the House. But I say deliberately I made a reasonable request that there were 10 minutes only left, let it be adjourned; we shall start tomorrow; nothing will be lost by it. I have a right to be obstructive.

Mr. SPEAKER: I have heard your argument. You have no right to be obstructive. No member has the right to be obstructive. If a member wants to be obstructive, there are rules enough to prevent that obstruction. Therefore, you cannot say that any member has got the inherent right to be obstructive. You cannot claim it as a right. Of course, I know that parliamentary tactics of obstruction is done.

Sj. SIBNATH BANERJEE: May I ask your ruling whether asking for a division is obstruction and whether there is any provision to prevent me? Of course, the Preventive Act is there and Dr. Roy can do it. What can you do if I ask for a division? I do not like to challenge you, but I would like to be informed and enlightened—I have asked for a division, what can you do to me? Dr. Roy can arrest me in this House or outside, but I have asked for a division, I have the right to ask for a division—I am within my rights.

Mr. SPEAKER: Mr. Banerjee, you asked for a division. The division was granted and the division took place. Whether that division was a frivolous division or was a bona fide division, this House has not come to any conclusion with regard to that. You say that as a matter of right you can be obstructive. I say that as a matter of right you cannot be obstructive. You may be obstructive as a matter of parliamentary tactics without saying that you are obstructive. But if you claim it as a privilege——.

Sj. SIBNATH BANERJEE: I expected your ruling.

Mr. SPEAKER: I can say that you have no right to be obstructive.

Sj. SIBNATH BANERJEE: Without being obstructive I asked for a division.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Don't try to be too clever.

Sj. SIBNATH BANERJEE: I am not too clever. You are too clever, but I am blunt.

Mr. SPEAKER: You have gained your point by stopping further debate. By 15 minutes' wastage, you have certainly wasted public money.

Sj. SIBNATH BANERJEE: I am prepared to sit the whole night if the House agrees to it but not today. Tomorrow I am ready.

Attendance of Sj. Jyoti Basu, in detention.

Mr. SPEAKER: Before we disperse, I wish to refer to one fact. I have received a telegram from Mr. Jyoti Basu. Reference Susil Banerjee's statement to a correspondent published on the 28th September. Requesting immediate arrangement for my attendance in the Assembly.

I also received a letter on the 21st September which I duly forwarded to the Government.

Sj. SUSIL KUMAR BANERJEE: I have not said that. I deny this charge.

Mr. SPEAKER: As there is a good deal of confusion over such matters, I wish to clarify the position which ought to be understood. So far as the Speaker is concerned, he has got no right to order the attendance of any person who has been detained under the preventive sections by the Government. As a matter of fact, under the Constitution we enjoy the powers and privileges of the House of Commons. I have considered the position in the Houses of Parliament and I find that this matter was considered in Ramsay's case H.C., 164, 1939-40 and it was decided that no privilege could be claimed against such detention. Therefore, I wish to make the position clear that so far as the Speaker of the House is concerned, no member can claim such a privilege so far as the present Constitution is concerned until a Privileges Bill is passed either by the Central Legislature or by the Provincial Legislature giving such right. That is a matter for the future.

So far as the production of the honourable member in this House is concerned, that is a matter which rests entirely with the Government. It has to be considered whether that would be justified or not. I have stated this simply to clarify a confusion in the minds of members.

SJ. SUSIL KUMAR BANERJEE: Sir, I may be permitted to say something on it because my name has been dragged into it. One of the representatives of the Jugantar approached me yesterday and he asked "Why are you not bringing Mr. Jyoti Basu?" I said "That is not my business. He may apply and Government may consider that." That was what transpired and nothing more.

Mr. SPEAKER: Regarding the statement of Mr. Banerjee, so far as this House is concerned, it has got nothing to do with what he said to the reporter or what he did not say. What I wanted was to clarify the position of this House and myself as to our rights so that there may not be any confusion on this matter.

The House stands adjourned till 4 o'clock tomorrow.

Adjournment.

The House was then adjourned at 7-5 p.m. till 4 p.m. on Friday, the 29th September, 1950, at the Assembly House, Calcutta.

Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 29th September, 1950, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble ISWAR DAS JALAN) in the Chair, 11 Hon'ble Ministers and 56 members.

STARRED QUESTIONS

(to which oral answers were given)

Externment of four workers of Kulti from four industrial districts

***1. SJ. SIBNATH BANERJEE:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) whether it is a fact that on the 11th January, 1950, four workers of Kulti, namely, (1) Ramdeo Singh, (2) Golam Md., (3) Bhageloo Ahir and (4) Subodh Das Gupta were externed from four industrial districts under clause (*b*), sub-section (*1*) of section 21 of West Bengal Security Ordinance of 1949,

(*b*) if so, the reasons for their externment;

(*c*) whether these workers were members of a Trade Union affiliated with the I.N.T.U.C.; and

(*d*) whether the Hon'ble Minister is aware that the union affiliated with the I.N.T.U.C. under the leadership of Mr. John, the President of the union, had any hand in influencing the police in getting the notice of externment orders on the workers who were opposed to the policy of I.N.T.U.C.?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (*a*) and (*c*) Yes.

(*b*) These orders were passed in order to prevent them from doing subversive acts. After enquiries Government were satisfied that the activities of these persons were of such a nature as to justify the apprehension that if they were not externed they would indulge in subversive acts.

(*d*) The police were not so influenced.

SJ. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether the subversive act in clear terms was that they wanted a better grade of pay in the Kulti workshop?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I don't know.

SJ. SIBNATH BANERJEE: Will he please find out whether what I am stating is a fact or not?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Yes, I will find out.

SJ. SIBNATH BANERJEE: It has been stated: "The police were not so influenced". Will the Hon'ble Minister be pleased to state from whom

the F. I. R. was obtained about the subversive activities or the likelihood of their doing subversive acts—whether it was from the company or from any union or factory that the report was obtained?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice. I cannot tell you offhand.

Sj. SIBNATH BANERJEE: Will the Hon'ble Minister please clarify what he meant by "subversive acts"? There are so many acts, e.g., acid bombs and so on.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot clarify.

Sj. SIBNATH BANERJEE: Do I understand him to say that he can't or he won't?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I can't clarify.

Sj. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether it is an official secret which he cannot divulge or he does not possess the facts?

The Hon'ble Dr. BIDHAAN CHANDRA ROY: I have said what I could say in the reply. I can't say anything further.

Sj. SIBNATH BANERJEE: I want to know one thing. He can't do so because he has no facts or he is prevented from doing so in public interest because there is something secret?

Mr. SPEAKER: The Hon'ble Minister has already said that he can't say and that he has nothing further to say. Next question.

Sj. Himansu Kumar Gupta, Inspector of Police, Calcutta

***2. Janab ABUL HASHEM:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state if at any stage of enquiry and prosecution of the case Emperor *versus* Wasil Khan and others tried at Barrackpore Court or at any stage of enquiry into the conduct of officers and persons connected with the prosecution of the said case, Inspector Himansu Kumar Gupta of the Calcutta Police had ever been appointed an Investigating Officer?

(*b*) If the answer to (*a*) be in the affirmative, will the Hon'ble Minister be pleased to state the number and the date of the letter of such appointment and the name and designation of the officer who appointed him to take part in the aforesaid enquiry?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) whether Inspector Himansu Kumar Gupta gave evidence in the proceedings against Police Inspector Satidas Maitra in connection with the said case;

(*ii*) whether Sri N. C. Mitter who acted as Junior Public Prosecutor in the case of Wasil Khan was invited by Sri Himansu Kumar Gupta at his quarters at Burrabazar thana;

(*iii*) whether any dictaphone record of the conversation of Sj. Mitter with Inspector Gupta was taken at that time; and

(*iv*) whether Sri S. N. Mukherjee, Deputy Commissioner of Police, Central, was apprised of the fact that such a dictaphone record existed?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether there was any irregularity in the said record; and

(*ii*) if so, what steps the Commissioner of Police took in the matter?

The Hon'ble Dr. BIDHAN CHANDRA ROY: (*a*) No.

(*b*) Does not arise.

(*c*)(*i*) Yes; as a defence witness.

(*ii*) Sri N. C. Mitter was not invited but went voluntarily to Inspector Gupta.

(*iii*) Yes.

(*iv*) Sri S. N. Mukherjee, who held the enquiry against Inspector Maitra, heard about it when Inspector Himansu Gupta gave evidence during the enquiry.

(*d*)(*i*) No.

(*ii*) Does not arise.

Arrest of C. C. Ghosh Choudhury, Assistant Station Master, Katwa

*3. **Sj. SIBNATH BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact—

(*i*) that Sri G. C. Ghosh Choudhury, Assistant Station Master of Katwa, Burdwan, was arrested on the 2nd December, 1947;

(*ii*) that he was detained by the Government Railway Police from 6 a.m. to 3 p.m.;

(*iii*) that he was exhibited to the passengers on the platform with handcuffs and rope round his waist; and

(*iv*) that he was marched to the Court on foot with handcuffs and rope round his waist though he offered to pay for hackney carriage fare?

(*b*) Is the Hon'ble Minister aware that railwaymen at Katwa, Burdwan, are being harassed by the local Government Railway Police?

The Hon'ble Dr. BIDHAN CHANDRA ROY: (*a*)(*i*) He was arrested on the 1st December, 1947.

(*ii*) The Government Railway Police arrested him at 6 a.m. and produced him at the Court Sub-Inspector's office at 1-5 p.m. on the same day.

(*iii*) No.

(*iv*) The accused was taken on foot and in handcuffs and ropes. There is no record in the Government Railway Police to indicate that hackney carriage fare was offered by the prisoner.

(*b*) There were a few minor incidents prior to this occurrence, but nothing since then is reported to have occurred.

Sj. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state on what charge this man was arrested—Assistant Station Master, Katwa?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

Sj. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state how long this barbaric method of handcuffing men and putting ropes round their waists will continue?

(No reply.)

Mr. SPEAKER: The Hon'ble Minister does not want to reply.

Sj. SIBNATH BANERJEE: Sir, it is not the constitutional form. The Hon'ble Minister may say that he won't reply or that he won't say anything, but to sit quiet on the bench is discourtesy to the House and to the Speaker.

The Hon'ble NIHARENDU DUTT MAZUMDAR: Sir, I may point out to you that the supplementary question was so framed that it was merely a matter of opinion, and, therefore, it should have been ruled out of order.

Mr. SPEAKER: Order, order. Mr. Banerjee, what is your question?

The Hon'ble NIHARENDU DUTT MAZUMDAR: His question is: How long do you think this barbaric system of roping will continue.

Mr. SPEAKER: That is a general question. You cannot ask supplementary questions which do not arise out of the facts given.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, the Judicial Minister has misquoted me. I did not say "how long do you think it will continue." I wanted information as to how long this barbaric handcuffing and putting rope round the waist and parading on the platform of a station where he was the Assistant Station Master—how long this is going to continue.

Mr. SPEAKER: That is a general question. That does not arise out of the particular incident. You can ask questions relating to this particular incident.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I did not misquote him. I merely pointed out that the question was formulated in such a way that it was a matter of opinion.

Sj. SIBNATH BANERJEE: Sir, I think the Chair knows its duty. For the Judicial Minister to butt in and ask the Chair to rule it out is again, I submit, discourtesy to the Chair. He might have suggested "whether it is in order", but to say that the Chair should have ruled it out, as if he is dictating to the Chair, is discourtesy to the Chair. Sir, I wanted information whether what happened at Katwa Railway Station is going to continue.

Mr. SPEAKER: Order, order. Here is a question with regard to a particular incident. Now you are asking a general question how long will this handcuffing business and roping round the waist will continue. As a matter of fact, the scope of the question is about a particular incident and not a general proposition. Prisoners are being handcuffed and roped round their waists from a very long time. How long this will continue is absolutely a general question which has nothing to do with this particular incident. You should confine yourself to this particular incident and facts concerned with this incident or to qestions which arise out of the answers given by the Hon'ble Minister.

Janab MD. KHUDA BUKHSH: With reference to question (*a*) (*iii*), will the Hon'ble the Chief Minister be pleased to state if Government have considered the desirability of discontinuing this practice of handcuffing the prisoners?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That has been discontinued already.

Sj. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state what was the special reason to handcuff this Assistant Station Master at the place where he was working?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

Sj. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state what further steps were taken after this question was put six months back to find out the causes of this incident?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

Allegation against Sj. Tarak Nath Mitra, witness in the case Emperor *versus* Wasil Khan and others

***4. Janab ABUL HASHEM:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether Sri Tarak Nath Mitra of Konnagar now residing at Puri gave evidence before the Investigating Officer in the enquiry into the conduct of the Police Inspector Satidas Maitra in connection with the enquiry and prosecution of the case of Emperor *versus* Wasil Khan and others;

(*ii*) whether he was paid any travelling allowance from Puri to Calcutta;

(*iii*) whether any complaint was made to Inspector-General of Police that Sri Tarak Nath Mitra had submitted a false travelling allowance bill; and

(*iv*) whether there was any enquiry into any such complaint?

(*b*) If the answer to (*a*)(*iv*) is in the affirmative, will the Hon'ble Minister be pleased to state what is the result of the enquiry?

The Hon'ble Dr. BIDHAN CHANDRA ROY: (*a*) Yes.

(*b*) The allegation made in the complaint was found to be false.

Complaint against the present Civil Medical Officer, Kurseong.

***5. Sj. SHEO KUMAR RAI:** (*a*) Will the Hon'ble Minister in charge of the Medical and Public Health Department be pleased to state—

(*i*) whether it is a fact that in the month of July, 1949, a complaint was made to the Government against the present Civil Medical Officer of Kurseong Hospital by the Commissioners of Kurseong Municipality under the joint signatures of the Chairman and Commissioners of the Municipality and by the President and the Secretary of the Kurseong Congress Committee; and

(*ii*) whether the Commissioners of the Municipality, the President and the Secretary of the Congress Committee demanded an immediate suspension of the Civil Medical Officer and a public enquiry into the complaint?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what action was taken by the Government;

(*ii*) whether the Commissioners have been intimated of the actions, if any, taken by the Government; and

(*iii*) whether Government think of retaining the present Civil Medical Officer in Kurseong?

(*c*) Will the Hon'ble Minister be pleased to state if it is a fact—

(*i*) that the present Civil Medical Officer, Kurseong Hospital, is attached on salary basis to St. Mary's College, Kurseong, a private institution which is outside the limit of the Kurseong town; and

(*ii*) that he is drawing an allowance of Rs.100 monthly from Darjeeling and Dooars Medical Association?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state the authority under which the Civil Medical Officer, Kurseong Hospital, is entitled to have his private practice outside the limit of the Kurseong town and to enter into private contract with private institutions and parties?

(*e*) Will the Hon'ble Minister be pleased to state—

(*i*) the reasons for creating a post of Civil Medical Officer particularly in Kurseong subdivision only;

(*ii*) the position of the Civil Medical Officer in relation to the Kurseong Hospital;

(*iii*) how many major surgical operations were performed by the present Civil Medical Officer in the year 1949; and

(*iv*) whether there has been a decline in such cases?

(*f*) If the answer to (*e*)(*iv*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the reasons therefor; and

(*ii*) whether Government consider the desirability of enquiring into the causes of such decline?

The Hon'ble Dr. BIDHAN CHANDRA ROY: (*a*) Yes.

(*b*) (*i*) On receipt of the complaint a joint enquiry was made on 2nd September, 1949, by the Inspector of Hospitals, West Bengal, and the Civil Surgeon, Darjeeling. It was found that the charges which were all on professional grounds had not been substantiated. The enquiry revealed that the Civil Medical Officer had not done anything professionally to

justify the allegation that he lacked in professional knowledge in tackling the cases mentioned in the allegations and that no gross mistake had been made by him in the treatment of the cases under his charge. So no action was taken against him.

(*ii*) Yes.

(*iii*) The appointment of the Civil Medical Officer, Kurseong, is not at present transferable. But in the new set-up the post has been included in the West Bengal Medical Service (Upper). So until the new set-up takes effect, the question of transferring the present Civil Medical Officer from Kurseong cannot be considered.

(*c*) (*i*) Yes. The St. Mary's College, Kurseong, which is a Theosophical Institution, is situated about a mile and a half from Kurseong Hospital. The Civil Medical Officer attends to sick students and staff every Sunday afternoon and for this he has to remain out of the station for one and a half hours. He receives a pony allowance of Rs.35 only per month for this work from the Christian Theosophical Society.

(*ii*) Yes. The Civil Medical Officer is required to send information through post cards to Tea Estate Managers about the health of Tea Garden employees under treatment in the Kurseong Hospital and for this the honorarium is given to him. This does not necessitate his going to anywhere outside his headquarters.

(*d*) The arrangement referred to in the answer to clause (*c*)(*i*) above has been continuing for the last 40 years and must have had the approval of Government. As regards acceptance of the honorarium of Rs.100 per mensem referred to in the answer to clause (*c*)(*ii*), there should be no objection to the same in view of the fact that the work can be performed by the officer without detriment to his official duties and it does not necessitate his going out of headquarters.

(*e*) (*i*) Previous orders creating the post of a Civil Medical Officer at Kurseong are not traceable. Presumably when the Dow Hill School for Girls and the Victoria School for Boys with the Central Hospital were opened for the benefit of Government employees, specially European and Anglo-Indian, the post of Civil Medical Officer was created to look after the European boys and girls. Instead of designating the post as Medical Officer-in-charge the post was named as Civil Medical Officer, Kurseong, obviously with the idea of utilising his services for the welfare of the patients in the Kurseong Hospital and for allotting such other duties as may be found necessary from time to time.

(*ii*) He is the Superintendent of the Kurseong Dispensary and is to attend the dispensary in the morning at a fixed time and oftener when necessary. He is to supervise the work of the dispensary, staff and establishment and to perform surgical operations and treat all important cases.

(*iii*) A statement is laid on the Table.

(*iv*) No appreciable decline is found as the total number of selected operations performed by the Civil Medical Officer in the years 1947, 1948 and 1949 are 9, 7 and 6, respectively. On the other hand the number of other operations has registered an increase as will be evident from the statement.

(*f*) (*i*) The number of operations vary according to the type of surgical and emergency cases admitted into the hospital which are always variable.

(*ii*) Does not arise.

Statement referred to in the reply to clause (e) (iii) of the starred question No. 5.

Year.	Name of Civil Medical Officer.	Period of duty.	Number of selected operations.	Number of other operations.	Total.
1947	Dr. K. N. Sen ..	1st January, 1947, to 29th June, 1947.	4	5	9
	Dr. M. A. Ali ..	30th June, 1947, to 13th August, 1947.	3	..	3
	Dr. B. Mukherjee ..	14th August, 1947, to 31st December, 1947.	2	..	2
			9	5	14
1948	Dr. B. Mukherjee ..	1st January, 1948, to 20th May, 1948.	2	9	11
	Dr. S. Bhattacharjee	2nd October, 1948, to 31st December, 1948.	5	3	8
			7	12	19
1949	Dr. S. C. Bhattacharjee.	1st January, 1949, to 31st December, 1949.	6	33	39

The post of Civil Medical Officer, Kurseong, was vacant from the 21st May, 1948, to 1st October, 1948, and during this period the work was managed by the Medical Officer of the Kurseong Hospital in addition to his own duties.

Sj. SHEO KUMAR RAY: With reference to answer (*b*) (*i*), namely, that no gross mistake had been made by him, is the Hon'ble Minister prepared to admit that though no gross mistake was made, some mistake was made by this Civil Medical Officer.

The Hon'ble Dr. BIDHAN CHANDRA ROY: It depends on the meaning of the word "mistake". It is a professional term.

Sj. SHEO KUMAR RAY: Will the Hon'ble Minister be pleased to state when and on what date the reply of the Government was given to the Commissioners of the Kurseong Municipality?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot give you the date and if you want it I can give the information later.

Sj. SHEO KUMAR RAY: Will the Hon'ble Minister be pleased to state if a Government servant can work for outsiders?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I have mentioned in the reply that his appointment was not in the general cadre of the Bengal Medical Service. He was not a Government servant in the ordinary sense of the term. Apparently we could not trace the terms of the appointment made forty years ago but very likely he was appointed to look after the interests of the European and Anglo-Indian gentlemen and thereafter other functions were added to his duties. All this will disappear probably after a month or so when the new set-up is given effect to.

Sj. SHEO KUMAR RAY: Will the Hon'ble Minister be pleased to state if the post of the Civil Medical Officer is indispensable?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

Supersession of the Hooghly-Chinsurah Municipality

***6. Sj. BEPIN BEHARI GANGULI:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*a*) whether the Hooghly-Chinsurah Municipality is under supersession;

(*b*) if so, the date of its supersession and the reasons thereof;

(*c*) whether there was any case of misappropriation of funds which led to the supersession of the Municipality;

(*d*) whether an enquiry was made into the administration of the Municipal funds under the chairmanship of previous two or three Chairmen; and

(*e*) if not, whether Government consider the desirability of holding an enquiry into the matter?

MINISTER in charge of the LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Jadabendra Nath Panja): (*a*) Yes.

(*b*) 24th August, 1949. The Municipality was superseded on the ground that the Municipal Commissioners were incompetent to perform and persistently made default in the performance of the duties imposed on them.

(*c*) Government are not aware of any case of misappropriation of funds of the Municipality.

(*d*) No.

(*e*) At present Government do not contemplate holding any such enquiry.

Dr. SURESH CHANDRA BANERJEE: Supplementary question, Sir. মাননীয় মন্ত্রীমহাশয় বল্‌বেন কি, হুগলী-চিনসুরা মিউনিসিপালিটির Commissionerদের কি ধরণের অপরাধে সেখানকার municipality superseded হয়েছিল—ঠিক কি ধরণের অপরাধ?

The Hon'ble JADABENDRA NATH PANJA: উক্ত এলেকার বহু টাকা tax আদায়ের বাকী ছিল, Commissionerরা তা আদায় করতে চেষ্টা করে নি। তারপর যখন Sweeperরা strike করে তখন তাঁরা একসঙ্গে resign করেছে। সে strike মিটাবার কোন step নেওয়া হয় নাই।

Dr. SURESH CHANDRA BANERJEE: মাননীয় মন্ত্রীমহাশয় বল্‌বেন কি যে, এক বৎসর হয়ে গেল সেখানকার municipality superseded হয়েছে, এই এক বৎসরের মধ্যে আবার নির্ব্বাচন হল না কেন?

The Hon'ble JADABENDRA NATH PANJA: নির্ব্বাচনের ব্যবস্থা হচ্ছে।

Dr. SURESH CHANDRA BANERJEE: হুগলী-চিনসুরা Municipalityর নাগরিকদের মনোনীত Commissionerদের নির্ব্বাচন অনুপযুক্ত মনে করেন কি না? তারা কি unfit? এই ধরণের

নির্ব্বাচনে তারা উপযুক্ত কি না? তিনি এর উত্তর না দিলেও আমার প্রশ্ন হচ্ছে যে, এক বৎসর হয়ে গেল তবুও পুনরায় নির্ব্বাচনের অন্তরায় কি? ভোটার আছে, সকলেই আছে তবে নির্ব্বাচন হচ্ছে না কেন? তারা কি unfit to elect their own representatives.

Mr. SPEAKER: Mr. Banerjee, I cannot allow any discussion. You can ask questions for eliciting information.

Dr. SURESH CHANDRA BANERJEE: মাননীয় মন্ত্রীমহাশয় বল্‌বেন কি যে, এক বৎসরের মধ্যে নির্ব্বাচন হচ্ছে না কেন?

The Hon'ble JADABENDRA NATH PANJA: এই সময়ের মধ্যে সম্ভবপর হয় নাই। এই সব ব্যাপারে ব্যবস্থা করতে সময়ের আবশ্যক।

Dr. SURESH CHANDRA BANERJEE: কেন সম্ভবপর হয় নাই?

The Hon'ble JADABENDRA NATH PANJA: Notice চাই।

Dr. SURESH CHANDRA BANERJEE: আমি মাত্র বলেছি এক বৎসরেও নির্ব্বাচন হয় নাই কেন? এর জন্য Noticeএর কি দরকার? আমি জানতে চাই কেন হয় নাই?

Mr. SPEAKER: Mr. Banerji, strictly speaking, that question does not arise. It is not about the future election. The whole question is based on the past.

Dr. SURESH CHANDRA BANERJEE: আমি শুধু জান্‌তে চাই যে, এই এক বৎসরের মধ্যে election হল না কেন?

Mr. SPEAKER: I may tell the House that whenever a supplementary question is asked, the proper procedure is to refer to the particular answer out of which the supplementary arises. That has been the procedure, but we have not been strictly following it. The moment you draw attention to the answer, you are to understand the particular question and what took place.

Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir. আমি আমার প্রশ্নের কোন উত্তর পাচ্ছি না। সে উত্তর পাবার অধিকার এই পরিষদের Memberদের আছে। আমি জানতে চাই এই এক বৎসরের মধ্যে এই একটা নির্ব্বাচন হল না কেন?

Mr. SPEAKER: A certain amount of latitude has always been allowed in the case of supplementary questions, but that latitude must be confined to the question and the matter relating to that question. If you wish to ask as to why the election has not taken place, I do not wish to debar you from asking the question by putting it in a proper form, but you must remember that so far as questions are concerned, they must arise out of the answer or they must be relevant to the question that is put. All kinds of questions are not expected to be answered by the Minister offhand.

Dr. SURESH CHANDRA BANERJEE: আমার প্রশ্ন ছিল শুধু একটি—এক বৎসরের মধ্যে election কেন হল না, এই মাত্র।

Mr. SPEAKER: May I point out that if you refer to the question you will find that there is not a single question about the election to take place.

Sj. BIMAL COMAR GHOSE: Mr. Speaker, Sir, on the supplementary questions what you said is perfectly true, but, Sir, you have been a member here and I have also been a member here since 1946. We have had a certain latitude in asking supplementary questions and we thought that that was almost becoming a practice. But if you insist that this should be strictly observed too, as you have laid down your condition, then you are perfectly within your rights, but what I was

suggesting is that in asking supplementary questions, a certain amount of latitude has always been given to us because it helps us to get information from the Government and also, in certain cases, how the policy is being fashioned. So, I would just appeal to you to take that view also into consideration.

Mr. SPEAKER: Mr. Ghose, I have always allowed more latitude than was desirable with regard to supplementary questions. The question is if an objection is raised with regard to a particular question, then I have got to observe the rules. Now, with regard to Mr. Banerji's question, objection has been raised and naturally my attention has been drawn to it and I have got to decide according to rules. Otherwise, you remember that so far as this House is concerned, I have not objected to supplementary questions being put though I felt that, strictly speaking, many of the questions could not be put.

The Hon'ble Dr. BIDHAN CHANDRA ROY: May I make a submission. It is not the intention of the Ministry to stop Mr. Banerji from asking that question, but if he really wants to ask that question, he should give us notice so that we can be prepared with facts and figures. Suddenly if he jumps up with a question, he cannot expect us to be ready with facts and figures and then it becomes very difficult for us to give the answer.

Dr. SURESH CHANDRA BANERJEE: এটা specially important. এই ধরণের প্রশ্নের উত্তর দেবার জন্য প্রস্তুত থাকা উচিত ছিল। তার জানা উচিত ছিল এই ধরণের প্রশ্ন হতে পারে, সুতরাং তার জন্য প্রস্তুত হয়ে আসা উচিত ছিল।

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is again a matter of opinion.

Dr. SURESH CHANDRA BANERJEE: মাননীয় মন্ত্রীমহাশয় দয়া করে বলবেন কি এই নির্ব্বাচন কবে পর্য্যন্ত হবে—

Mr. SPEAKER: If you had put one question on that point, everything would have been all right, but you have chosen not to put that question. If you had put the question as to when the election was likely to take place, then all questions you have put would have been strictly relevant. Next.

Supply of sugar in the rural areas of Jalpaiguri district.

*7. **Sj. JAJNESWAR ROY:** (ক) খাদ্যবিভাগের মাননীয় মন্ত্রীমহাশয় কি অবগত আছেন যে—

(১) চিনি নিয়ন্ত্রিত হওয়া অবধি জলপাইগুড়ি জেলায় পল্লী অঞ্চলের জনসাধারণ নিয়ন্ত্রিত দরে চিনি পাইতেছেন না ;

(২) নিয়মিত দামে না পাইলেও চোরাবাজারে চিনি বিক্রয় হইতেছে ;

(৩) সহরে মাথাপিছু চিনি ২ ছটাক কিন্তু ইউনিয়নে মাথাপিছু আধ ছটাক বা তাহারও কম হারে বরাদ্দ করা হইয়াছিল ;

(৪) ঐ জেলার ইউনিয়নগুলি পূর্ব্বোক্ত অল্প হারে চিনি বণ্টনে অসুবিধার জন্য চিনি লইতে পারে নাই ; এবং

(৫) নিয়ন্ত্রিত হওয়ার পূর্ব্বে যেখানে প্রতি সের চিনি ১/০ আনা হইতে ১৵০ আনা দরে বাজারে বিক্রয় হইত উহা নিয়ন্ত্রিত হইয়াও প্রতি সের ১/০, ১৵০ আনায় বিক্রয় হইতেছে ?

(খ) যদি (ক) প্রশ্নের উত্তর হাঁ হয়, তাহা হইলে মাননীয় মন্ত্রীমহাশয় জানাইবেন কি—

(১) জলপাইগুড়ি জেলায় চিনি পাঠাইবার কোন ব্যবস্থা হইয়াছে কিনা এবং হইয়া থাকিলে চিনি কতদিনের মধ্যে ঐ জেলায় পৌঁছিবে;

(২) চোরাকারবার বন্ধ করার কি ব্যবস্থা করা হইয়াছে;

(৩) চিনি বণ্টনে (ক) (৩)এ বর্ণিত বৈষম্য দূর করার কথা বিবেচনা করেন কিনা; এবং

(৪) চিনির নিয়ন্ত্রণ রাখার প্রয়োজন বোধ করেন কিনা ?

MINISTER in charge of the FOOD DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (ক) (১) জলপাইগুড়ি জেলার জন্য যে চিনি বরাদ্দ আছে তাহার নিয়মানুপাতিক অংশ পল্লী অঞ্চলে নিয়ন্ত্রিত দরে বিক্রয় হয়।

(২) না।

(৩) পল্লী অঞ্চলে মাথাপিছু মাসিক এক ছটাক এবং সহর অঞ্চলে মাথাপিছু সপ্তাহে দুই ছটাক চিনি বরাদ্দ করা হইয়াছে।

(৪) না।

(৫) সহরে চিনির বিক্রয়মূল্য প্রতিসের ৷৷৵১৫ পয়সা হইতে ৷৷৵১৫ পয়সা। পল্লী অঞ্চলে ইউনিয়নের দূরত্ব অনুসারে সেরপ্রতি এক আনা হইতে ছয় পয়সা অতিরিক্ত দাম ধার্য্য করা হইয়াছে। রেলযোগাযোগ বিচ্ছিন্ন হওয়ায় এরোপ্লেনে ৫৪০ বস্তা পাঠান হইয়াছিল এবং এই চিনির দাম ছিল সেরপ্রতি ১।১৫ হইতে ১।৵০।

(খ) (১) চিনি নিয়ন্ত্রিত হইবার সময় জলপাইগুড়ি জেলাতে ১,৮৯১ বস্তা চিনি ছিল; তাহার পর আরও দুই শত বস্তা সেপ্টেম্বর মাসে রাণাঘাট হইতে পাঠান হয়। উহার পর নভেম্বর হইতে আজ পর্য্যন্ত এরোপ্লেনে ও Food Special এ ২,১৮০ বস্তা চিনি পাঠান হইয়াছে। ইহা ছাড়া ফেব্রুয়ারী, মার্চ ও এপ্রিল মাসে এই জেলার জন্য আরও ২,৪৭৫ বস্তা চিনি মিল হইতে সরাসরি পাঠাইবার কথা। রেলওয়ে ওয়াগনের অভাবহেতু এই চিনি এখনও পৌঁছায় নাই। তবে সংশ্লিষ্ট রেলকর্তৃপক্ষের সঙ্গে আলোচনার ফলে শীঘ্রই এই বরাদ্দ চিনি জলপাইগুড়ি জেলায় পৌঁছিবে আশা করা যায়।

(২) প্রশ্ন উঠে না।

(৩) পল্লী অঞ্চলের লোক সহর অঞ্চলের তুলনায় সাধারণতঃ কমই চিনি ব্যবহার করেন। বণ্টন হারের কিছুটা পার্থক্য তাই স্বাভাবিক ও সঙ্গত।

(৪) উৎপাদন ও সরবরাহ যথেষ্ট না হওয়া পর্য্যন্ত নিয়ন্ত্রণ ব্যবস্থা প্রয়োজন।

Sj. CHARU CHANDRA BHANDARI: Supplementary question, Sir. মাননীয় মন্ত্রীমহাশয় বলবেন কি, তিনি ৩ নম্বরের উত্তরে বলেছেন যে, পল্লীঅঞ্চলের লোক সহরঅঞ্চলের তুলনায় সাধারণতঃ কম চিনি ব্যবহার করে—এই যে তাঁর মন্তব্য সেটা কি শুধু জলপাইগুড়ির জন্য প্রযোজ্য না Stateএর সব ক্ষেত্রেই প্রযোজ্য ?

The Hon'ble PRAFULLA CHANDRA SEN: এটা সমস্ত রাজ্য সম্পর্কেই প্রযোজ্য।

Sj. CHARU CHANDRA BHANDARI: মাননীয় মন্ত্রীমহোদয় জানেন কি যে, পল্লীঅঞ্চলে বহু লোক আছে যাদের সহরের লোকের মতই জীবনযাত্রার ধারা ও মান। সেই কারণে তারাও সহরের লোকের মতই সমান পরিমাণ চিনি ব্যবহার করতে অভ্যস্ত।

The Hon'ble PRAFULLA CHANDRA SEN: আমি জানি, কিন্তু তাদের সংখ্যা খুবই কম।

Sj. SIBNATH BANERJEE: Supplementary question, Sir. মাননীয় মন্ত্রীমহোদয় ২ নং উত্তরে বলেছেন, ২ নং প্রশ্নে আছে "নিয়ন্ত্রিত দামে" না পাইলেও চোরাবাজারে চিনি বিক্রয় হচ্ছে। তিনি উত্তর দিয়েছেন—"না"। এই যে তিনি উত্তর দিয়েছেন "না" সেটা কি নিয়ন্ত্রিত দামে পাওয়া যায় না, না চোরাবাজারে বিক্রয় হয় না—কোনটা?

The Hon'ble PRAFULLA CHANDRA SEN: যে-সম্বন্ধেই ধরুন না কেন। এটা ত খুব সাধারণ কথা।

Sj. SIBNATH BANERJEE: সাধারণ কথাই বটে। কিন্তু অসাধারণ কথাই আপনাদের কাছ থেকে আশা করি। কারণ সাধারণ কথা ত আপনারা বলেন না।

The Hon'ble PRAFULLA CHANDRA SEN: এর মধ্যে অসাধারণ কথা কিছু নাই।

Sj. SIBNATH BANERJEE: Another question, আর একটা যায়গায় বলেছেন যে, প্রশ্ন ছিল চোরাকারবার বন্ধ করার কি ব্যবস্থা হয়েছে। তিনি তার উত্তরে বলেছেন "এই প্রশ্নই উঠে না।" এর অর্থ কি এই যে, চোরাকারবার নেই। চোরাকারবার বন্ধ করবার কি ব্যবস্থা করা হয়েছে তার কোন উত্তর পাচ্ছি না

Mr. SPEAKER: No argument please. You better put your question.

The Hon'ble PRAFULLA CHANDRA SEN: যেখানে চিনিই নাই সেখানে চোরাকারবারের প্রশ্নই আসে না।

Sj. KHAGENDRA NATH DAS GUPTA: ৩নং প্রশ্নের উত্তরে মাননীয় মন্ত্রীমহাশয় সহরের লোকেদের জন্য সপ্তাহে মাথাপিছু দু' ছটাক চিনির বরাদ্দ করা হয়েছে বলেছেন, তিনি দয়া ক'রে বলবেন কি এটা শুধু জলপাইগুড়ি সহরেই না সমস্ত পশ্চিম বাংলার সহরেই প্রযোজ্য?

The Hon'ble PRAFULLA CHANDRA SEN: কিছুটা তারতম্য রয়েছে। যে সমস্ত অঞ্চলে statutary ration আছে, সেখানে সপ্তাহে চার ছটাক করে চিনি মাথাপিছু দিই, কিন্তু যারা এইসব অঞ্চলের hard manual labourরা তারা মাথাপিছু এক ছটাক পায়, এ বাদে আর যত সহর অঞ্চল আছে সেখানে মাথাপিছু দু' ছটাক করে দেওয়া হয়।

Sj. KHAGENDRA NATH DAS GUPTA: যে সব সহরে statutary ration ব্যবস্থা আছে সেখানে চার ছটাক আর যেখানে সে ব্যবস্থা নাই সেখানে মাথাপিছু দু' ছটাক—এ পার্থক্যের কারণ কি?

The Hon'ble PRAFULLA CHANDRA SEN: কারণ হচ্ছে যে চিনি যখন বিনিয়ন্ত্রিত ছিল অর্থাৎ decontrolled ছিল, তখন বিভিন্ন স্থানের হিসাব নিয়ে সেখানকার লোক যতটা পরিমাণ চিনি ব্যবহার করতো সেই অনুপাতে বরাদ্দ করা হয়েছে।

Sj. SIBNATH BANERJEE: মাননীয় মন্ত্রীমহাশয় খ(১) প্রশ্নের উত্তরে বলেছেন যে, জলপাইগুড়িতে চিনি নিয়ন্ত্রণের সময় ঠিক ছিল ১,৮১১ বস্তা, তারপর আরও ২০০ বস্তা বাণাঘাট থেকে পাঠান হয়, তারপরে এরোপ্লেনে পাঠিয়েছেন ২,১৮০ বস্তা; তাছাড়াও আরও গিয়েছে ২,৪৭৫ বস্তা মিল থেকে সরাসরি, তবু বলছেন সেখানে চিনি নাই, অতএব চিনির blackmarketing হতে পারে না। এর আগের কথা বা, যা উনি লিখেছেন, কোন্‌টা সত্য?

The Hon'ble PRAFULLA CHANDRA SEN: সেখানে যে চিনি যায় নিয়ন্ত্রণ অনুসারেই যায়, বাইরে থেকে এক ছটাকও যেতে পারেনা কাজে কাজেই ব্ল্যাকমার্কেটও থাকতে পারে না।

Sj. CHARU CHANDRA BHANDARI: মাননীয় মন্ত্রীমহাশয় উত্তরে বলেছেন, পল্লী অঞ্চলে মাসিক মাথাপিছু এক ছটাক চিনি দেন। অথচ তিনি একটু আগেই বলেছেন যে পল্লী অঞ্চলে এমন লোক আছে, যাদের জীবনযাত্রার ধারা ও মান সহর অঞ্চলেরই মতন। তাহ'লে দেখা যাচ্ছে, পল্লী অঞ্চলে এক ছটাক মাথাপিছু যে পায়, সে মাত্র সহরাঞ্চলের লোকের এক-অষ্টমাংশ মাত্র পায়। তাদের জন্য অন্ততঃ মাননীয় মন্ত্রীমহাশয়, সহরাঞ্চলের লোকের ন্যায় ব্যবস্থা করবেন কি?

The Hon'ble PRAFULLA CHANDRA SEN : সেটা ভেবে দেখবো। তবে আমি সদস্য মহাশয়কে বলতে পারি, বর্তমানে পল্লী অঞ্চলে এক ছটাকের স্থানে মাথাপিছু দেড় ছটাকের ব্যবস্থা করেছি।

Sj. CHARU CHANDRA BHANDARI : পল্লী অঞ্চলে এত কম বরাদ্দ করায় সেখানে অসন্তোষ বিদ্যমান নাই কি?

The Hon'ble PRAFULLA CHANDRA SEN : অসন্তোষের কারণ নাই। পল্লীর লোকে চিনি খুব কম ব্যবহার করে। যাদের জীবনযাত্রার মান সহরাঞ্চলের মত তাদের একটু অসুবিধা হয়, কিন্তু তাদের সংখ্যা অতি কম। পল্লী সম্বন্ধে আমি যে খবর পেয়েছি তাতে সেখানে কোন অসন্তোষ নাই।

Sj. SIBNATH BANERJEE : কলকাতায় চিনি আছে, নিয়ন্ত্রণ আছে, black marketও আছে। প্রধানমন্ত্রী মহাশয়ও স্বীকার করেছেন—আছে। বোধ হয় তিনি মিথ্যা বলেন নি। সুতরাং মাননীয় মন্ত্রী-মহাশয় যে বলছেন চিনির নিয়ন্ত্রণ আছে বলেই blackmarketing হয় না, এতে আমরা কি বুঝবো?

The Hon'ble PRAFULLA CHANDRA SEN : মাননীয় সদস্য মহাশয় হয়ত জানেন, কলকাতা সহরে খাঁদসারি চিনি যা বিক্রী হয় তার উপর কোন control নাই। সেটাকে শিবনাথবাবুর মত অনেকেই হয়ত চিনি বলে মনে করেন।

Janab Md. KHUDA BUKHSH : মাননীয় মন্ত্রীমহাশয় তাহ'লে কি বলতে চান, যে কলকাতায় চিনির blackmarketing হয় না?

The Hon'ble PRAFULLA CHANDRA SEN : আমি জানি না, তবে আমার মনে হয় hard manual labourরা যে এক ছটাক করে চিনি পায়, তারা অনেকেই হয়ত না খেয়ে বিক্রী করে এবং বোধ হয় শিবনাথবাবুর বাড়ীতেও এ ধরণে চিনি গিয়ে থাকে।

Sj. KHAGENDRA NATH DAS GUPTA : জলপাইগুড়ি জেলাতে চিনি সরবরাহের ব্যবস্থা অত্যন্ত unsatisfactory. সেখানে আরও চিনি যাবে কি না?

The Hon'ble PRAFULLA CHANDRA SEN : জলপাইগুড়িতে চিনি সরবরাহের ব্যবস্থা সন্তোষজনক। এখনও সেখানে ব্যালেন্স রয়েছে ১,৪৩৫ বস্তা।

Sj. ANNADA PRASAD CHOUDHURY : মাননীয় মন্ত্রীমহাশয় বলেছেন, পল্লী অঞ্চলে চিনি মাথাপিছু এক ছটাকের জায়গায় দেড় ছটাক প্রবর্তন হয়েছে। কিন্তু এটা পাবার জন্য কি medical certificateএর দরকার?

The Hon'ble PRAFULLA CHANDRA SEN : না, মোটেই নয়।

Sj. ANNADA PRASAD CHOUDHURY : মাননীয় মন্ত্রীমহাশয় কি এ সম্বন্ধে অনুসন্ধান করে পাঠাবেন, যে medical certificate দরকার হয় কি না?

The Hon'ble PRAFULLA CHANDRA SEN : নিশ্চয়ই করবো।

Sj. CHARU CHANDRA BHANDARI : পল্লী অঞ্চলের লোকেদের মধ্যে দরিদ্র লোকের মিশ্রী না পাওয়ায় অত্যন্ত কষ্ট হচ্ছে। এটা মন্ত্রীমহাশয় অবগত আছেন কি?

The Hon'ble PRAFULLA CHANDRA SEN : শুধু দরিদ্রেরা নয়, ধনী লোকেও বর্তমানে মিশ্রী পাচ্ছে না।

Sj. SIBNATH BANERJEE : "নাই" বল্লেই সাপের বিষ থাকে না, একথা মন্ত্রীমহাশয় শুনেছেন বোধ হয়। Blackmarketing নাই, বল্লেই নাই?

The Hon'ble PRAFULLA CHANDRA SEN : এটা একটা প্রশ্নই নয়।

Sj. ISWAR CHANDRA MAL : চিনির জন্য বিশেষ পারমিটের দরকার কোন্ ক্ষেত্রে, মাননীয় মন্ত্রীমহাশয় অনুগ্রহ করে জানাবেন কি?

The Hon'ble PRAFULLA CHANDRA SEN : বিশেষ ক্ষেত্রে।

D. P. Agents in Basirhat area

*8. **Sj. BEPIN BEHARI GANGULI:** Will the Hon'ble Minister in charge of the Food Department be pleased to state—

(*a*) whether Government has appointed D. P. Agents in Basirhat area to intensify the procurement;

(*b*) if so, what is the rate of commission given by Government to the D. P. Agents for procurement;

(*c*) whether they can function properly due to the competition of the rice millers who purchase at a higher price than that sanctioned by the Government; and

(*d*) if not, what steps has the Government taken in the matter?

The Hon'ble PRAFULLA CHANDRA SEN: (*a*) Yes.

(*b*) 2 annas per maund.

(*c*) Yes, they have been functioning properly. A total stock of over 2 lakhs maunds have been purchased by D. P. Agents in 1950 till the first week of April.

(*d*) Does not arise.

Sj. BEPIN BEHARI GANGULI: Will the Hon'ble Minister be pleased to state whether rice millers purchased at higher price than D. P. agents?

The Hon'ble PRAFULLA CHANDRA SEN: No, they didn't.

Sj. BEPIN BEHARI GANGULI: Will the Hon'ble Minister be pleased to state how many lots were purchased last year?

The Hon'ble PRAFULLA CHANDRA SEN: I have said that till the first week of April this year two lakhs maunds had been purchased. I can not give you figures offhand for last year.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Appointment of the Assistant Commandant at Kanchrapara Training Camp of West Bengal National Volunteer Force

1. **Sj. SHYAMAPADA BHATTACHARYYA:** Will the Hon'ble Minister in charge of the Home (Defence) Department be pleased to state—

(*a*) how the selection was made in the appointment of the present Assistant Commandant at Kanchrapara Training Camp of West Bengal National Volunteer Force in March, 1949;

(*b*) whether the present incumbent of the post held the post of a lower division clerk of the Education Department;

(*c*) whether claims of competent junior officers of the West Bengal National Volunteer Force were taken into consideration at the time of the selection; and

(*d*) if not, the reasons thereof?

MINISTER in charge of the HOME (DEFENCE) DEPARTMENT (the Hon'ble Bhupati Majumdar): (*a*) From his experience in the army he appeared to be a suitable candidate for the post which had to be filled up immediately.

(*b*) Yes. But he joined the army during the last war and obtained the rank of a Captain.

(*c*) Yes. But they were considered not suitable for the post.

(*d*) Does not arise.

Sj. SHYAMAPADA BHATTACHARYYA: Will the Hon'ble Minister be pleased to state whether the officer was actually in field service, or did he fill up the post from a clerk?

The Hon'ble BHUPATI MAJUMDAR: He was a Captain.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state whether it was a combatant or a non-combatant service?

The Hon'ble BHUPATI MAJUMDAR: He belonged to the Pioneers and was placed as Captain of the Pioneers: they are combatants.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to state if the incumbent has been permitted by the Military to retain his rank?

The Hon'ble BHUPATI MAJUMDAR: We cannot get any information now as he is no longer there. He has gone away.

Janab MD. KHUDA BUKHSH: I want to know whether he was permitted by the Military authorities, after he retired, to retain his rank as Captain?

The Hon'ble BHUPATI MAJUMDAR: That I cannot say.

Industrial Exhibition in Eden Gardens, Calcutta

2. Shaikh MOHAMAD RAFIQUE: (*a*) Will the Hon'ble Minister in-charge of the Home Department be pleased to state if it is a fact that Eden Garden was rented or leased out to the management of the All-India Exhibition?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the terms on which it was rented;

(*ii*) the date from which it was rented;

(*iii*) whether Eden Garden is closed to public now;

(*iv*) if so, when it will be open to public;

(*v*) whether Government of West Bengal received a share of the income of All-India Exhibition, if any; and

(*vi*) whether it is a fact that the damage done to Eden Gardens by the All-India Exhibition has been assessed at rupees five lakhs?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (*a*) Sanction was accorded to the holding of an Industrial Exhibition in the Eden Gardens by Messrs. Scientific Publicity Syndicate Limited during the months of February and March, 1948. The period was later extended by two months. The gardens were not leased or given on rent.

(*b*) (*i*) and (*ii*) The questions do not arise.

(*iii*) The entire Eden Garden is not closed to the public. About half is occupied by the Refugee Hostel run by Government and this portion is closed to the public.

(*iv*) The entire gardens will be open for the use of the public as soon as the Refugee Hostel is closed.

(*v*) No.

(*vi*) An estimate of the damage to the Eden Gardens is under preparation.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state the conditions under which sanction was accorded to this party for holding the exhibition?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am afraid, I have not got the conditions here. I could have brought them if you had wanted.

Sj. BIMAL COMAR GHOSE: How could I have asked you to bring them beforehand?

Now, will the Hon'ble Minister be pleased to state if and when damages are assessed as to whether there would be any means for recovering them from the parties?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The parties would be called upon to pay for the damages.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if the firm or the party concerned has any assets which can be utilised for recovering damages?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

Janab MD. KHUDA BUKHSH: Arising out of the answer of the Chief Minister, will the Hon'ble the Chief Minister be pleased to state whether he was satisfied at the time of giving contract to the party concerned that they were financially stable and sound and in the event of any subsequent liability accruing to them that would be recoverable?

The Hon'ble Dr. BIDHAN CHANDRA ROY: As far as I remember, the sanction was given by Mr. Suhrawardy during his Ministry for holding the exhibition. So I cannot say exactly what was the position at that time.

Shaikh MOHAMAD RAFIQUE: Will the Hon'ble Minister be pleased to state if it is a fact that half the corrugated iron sheets in the Eden Gardens were stolen?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have no information.

Shaikh MOHAMAD RAFIQUE: Will the Hon'ble Minister be pleased to state if he has ever been to that side of the Gardens?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Yes, I have been.

Shaikh MOHAMAD RAFIQUE: Will the Hon'ble Minister be pleased to state if he saw any of the corrugated iron sheets removed from that place?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am afraid, I did not look at it from that point of view.

Mr. SPEAKER: Questions over.

Point of Privilege.

Sj. SIBNATH BANERJEE: On a matter of privilege, Sir. We are grateful to your department for supplying us these sheets which give us agenda as to what was done on the previous day and what would be done

today. We would have been very grateful if we could get the agenda for the day at our own houses in the morning with the help of a cycle peon. That would be very helpful to us. As for instance, we do not know what questions are there in the agenda. We come here at 3 o'clock, and it is difficult to bring from our homes all the revelant papers. If we get the questions and the whole agenda in the morning as to what Bill or supplementary estimates are going to be placed, we can come prepared. Otherwise a member has to ask questions from memory which is not helpful either to the Government or to the person concerned.

Mr. SPEAKER: Mr. Banerjee, as a matter of fact we introduced this system of issuing notices in the morning. But according to our rules we have to circulate the questions half-an-hour before the question time. As regards supplying all other papers in the morning, I shall see to this.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, there is one point I would like to refer to in this connection. It is that sometimes a question is asked in this session but is not answered during the session, and probably the answer is given five months after when the original questioner has probably forgotten for what purpose he had asked the question, and the answer also becomes stale. In view of this, is it possible for us to have any rule by which we can see that if the question has not been answered in a particular session, the question should be asked again by the questioner instead of carrying it over from session to session, so that the questioner may include any new item in the question.

Shaikh MOHAMAD RAFIQUE: Sir, I am grateful to the Hon'ble the Chief Minister for his suggestion. I think Government should also tell us as to what time Government would take in answering a question. This question about the Eden Gardens Exhibition was sent six months ago and I was expecting a reply during the last session of the Assembly. But I have got the answer only today. So we want to know what time Government usually takes in answering a question and as to why the reply is not ready in time.

Mr. SPEAKER: I appreciate the point of view of the honourable member as also of the Chief Minister. The position with regard to questions is this: as soon as a question comes to our office we examine it and then send it to the department concerned. Unfortunately, many of the questions are replied to after a very long time. Naturally, these questions do not come before the House within the session. Prior to this matter being mentioned, I was myself considering as to whether there was any procedure which might be adopted in the matter of answering the questions. When I went to Delhi I found that so far as the Central Legislature was concerned, they have got certain rules under which within a particular time the questions are to be put on the agenda paper and if by that time the answer is not ready the Government must ask for time. I have not yet decided as to what should be the forms of our rules and regulations. But I can tell the House that I am of the view that questions lose their significance if they are not answered within a reasonable time and that some machinery should be devised by which the answers may be given within a reasonable time. Then neither the questions will be stale nor the answers will be stale, and the main purpose for which the questions are asked would be served and the information desired would be more effective. At present I am not in a position to say what should be the rules and what should be done. But I will consider that.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, you have not touched on the point that I have mentioned.

Mr. SPEAKER: So far as the Hon'ble Chief Minister's point, i.e., the proposal that after the session is over fresh notices should be given of the questions, I regret I cannot do so, so long as the present rules continue.

Sj. BIMAL COMAR GHOSE: Why should fresh notices be given?

Mr. SPEAKER: So far as the present rules are concerned we cannot do it. The whole question with regard to putting of questions and answering questions we are considering and as soon as I am ready with my proposals I will consult the Chief Whip as well as the other side as to what rules should be framed so that justice may be done to both sides.

Application for leave of absence from Sri Jyoti Basu.

Mr. SPEAKER: Well, I have received an application from Mr. Jyoti Basu asking for permission to be absent during the ensuing session of the Assembly commencing on the 25th September, 1950. May I know as to whether the member has the permission of the House asked for?

The Hon'ble NIHARENDU DUTT MAZUMDAR: For how many days has the honourable member been absent?

Mr. SPEAKER: Fifty-seven days. As there is no dissentient I take it that the honourable member has the permission of the Assembly asked for.

GOVERNMENT BILLS.

The West Bengal Prohibition of Smoking in Show Houses and Public Halls, Bill, 1950.

Mr. SPEAKER: We have finished clause 2. We will now take up clause 3.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, on clause 2 there was difference of opinion and I had asked for a division. We were stuck up there. No voting was taken. I called a division but no division was taken.

Mr. SPEAKER: I understand you shouted "Aye" for this motion.

Sj. SIBNATH BANERJEE: There was a misunderstanding. However, I do not press the division.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

Mr. SPEAKER: The question before the House is that clause 4 do stand part of the Bill. I am sorry there is an amendment. Yes, Mr. Banerjee.

Janab MD. KHUDA BUKHSH: On a point of order. Can an amendment be moved after the Speaker has put the question before the House?

Mr. SPEAKER: I did not announce the result.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I think Mr. Harendra Nath Dolui the other day said that he would not be moving his amendments.

Sj. SUSIL KUMAR BANERJEE: Sir, with your permission I beg to move that in clause 4, line 1, after the words "police officer" the following be inserted, namely:—

"not below the rank of Sub-Inspector".

Sj. SIBNATH BANERJEE: Sir, I would like to speak on this but I shall not be long. I do not understand why the Government side is so sleeping. It is they who have got the Bill and short-notice amendments are always brought by Sj. Susil Banerjee. Let them consider the Bill properly and come to the House with a properly worded and properly drafted Bill. We are having no time to move amendments and Mr. Speaker, you were very kind to us, the Opposition, when you said that members are not getting sufficient time. We appreciate it very much but we do not appreciate this Government's failure to come with a properly drafted Bill. Every time it is the unfortunate lot of Sri Susil Banerjee but I do not make him alone responsible, the whole party must be responsible. But why should it be so? There was observation about waste of time—why this waste of time by the Government itself.

Mr. SPEAKER: Are you opposing this amendment?

Sj. SIBNATH BANERJEE: No, I welcome it but I am protesting against the procedure which should have been thought of by the Chief Minister, by the Home Minister and by other Ministers and should have found place through the Chief Whip and now he comes. It is an awkward position for him; I sympathise with him but I cannot but protest against the method in which it is being brought before the House.

The motion of Sj. Susil Kumar Banerjee that in clause 4, line 1, after the words "police officer" the following be inserted, namely:—

"not below the rank of sub-inspector"

was then put and agreed to.

The question that clause 4, as amended, do stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Prohibition of Smoking in Show Houses and Public Halls Bill, 1950, as settled in the Assembly, be passed.

Sj. SIBNATH BANERJEE: It is a good Bill; let it be passed.

Sj. KANAI LAL DE: সভাপাল মহাশয়, পরিষদ কক্ষের সম্মুখে cinema এবং public hallএ ধূমপান দূরীকরণ বিল উপস্থাপিত করা হয়েছে। এই বিলটি যদিও বিলম্বিত হয়েছে তথাপি এই বিল উত্থাপন করার জন্য আমি প্রধান মন্ত্রী মহাশয়কে ধন্যবাদ জ্ঞাপন করছি। আজকাল cinemaতে অত্যন্ত বেশী ভীড় হয় এবং public hallগুলিতে বেশ ভীড় হয়, এবং সেখানে বহু লোক উপস্থিত থাকার ফলে তাদের নিশ্বাস-প্রশ্বাসে যে আবহাওয়ার সৃষ্টি হয় তাতে দর্শকদের স্বাস্থ্যহানি ঘটে। সুতরাং ঐ স্থানগুলির উপর যদি আবার বিড়ি, সিগারেটের ধূমে ধূমায়িত করা হয় তাহলে দর্শকদের স্বাস্থ্যহানির সম্পূর্ণ আশঙ্কা।

এই যে বিল উত্থাপিত করা হয়েছে এতে cinema দর্শকদের স্বাস্থ্যের উন্নতি হবে এবং তাদের বহুপ্রকার বিরক্তির কারণও দূরীভূত হবে। এই প্রসঙ্গে আমি প্রধান মন্ত্রী মহোদয়ের নিকট এই প্রস্তাব করি যে, যেমন cinema এবং public amusement hallএ ধূমপান নিষেধ করা হচ্ছে তেমনি বাস, ট্রামেও ধূমপান নিবারিত হওয়া প্রয়োজন।

আজকাল কলিকাতা সহরে ও মফঃস্বলে বাসগুলি সকল সময়ই সংখ্যাতিরিক্ত যাত্রীপূর্ণ থাকে ও অসম্ভব ভীড় হয়। যতগুলি যাত্রী বহন করবার জায়গা থাকে তার তিন-চার গুণ বেশী যাত্রী বাসে ও ট্রামে উঠে, ফলে সেখানে দাঁড়াবার একটু জায়গা পর্য্যন্ত থাকে না, কোন রকমে ঠেলাঠেলি করে অত্যন্ত কষ্টে দাঁড়াতে হয় তার মধ্যে আবার যদি কোন ধূমপানরসিক ব্যক্তি ফট্ করে একটা দেশলাই জেলে একটা বিড়ি কিম্বা সিগারেট ধরান এবং অর্দ্ধ-জলন্ত দেশলাইটা ছুঁড়ে ফেলে দেন, তাতে অনেক যাত্রীর জামা, কাপড় এবং দেহ পর্য্যন্ত পুড়ে যায়। সেইজন্য যদি এই বিলের সঙ্গে সঙ্গে বাস এবং ট্রামেও ধূমপান নিবারণ বিল উত্থাপন করা হত তাহলে খুব ভাল হত। যাই হোক প্রধান মন্ত্রী মহাশয় এই বিল উত্থাপন করবার সময় আমাদের আশ্বাস দিয়েছেন যে তিনি খুব শীঘ্রই বাস ও ট্রামেও ধূমপান নিবারণ বিল উত্থাপন করবেন। আমি এই বলে এই বিল সমর্থন করছি।

Janab MD. KHUDA BUKHSH: Mr. Speaker, Sir, I support this measure brought by Government. I support this because I feel that many will be kept away from going to the cinema houses now that the Government have tabooed smoking inside the halls. The cinemas have now come to such a stage that I think it is better that the public should be dissuaded from going to the cinema halls, and, Sir, it is a very effective measure for dissuading the public to go to the cinema halls.

Sir, I congratulate the Hon'ble Chief Minister for bringing in this Bill.

Sj. SHEO KUMAR RAI: Mr. Speaker, Sir, Abhi yeh jo naya bill Pardhan Mantari ney pass kiya hai, is bill ke liey main Pardhan Mantri ko redhai say dhanabad deta hoon. Cigarette pina ek buri adat hai doosrey Swasth ke liey bhi hanikar hai. Yeh jo samaj aur society men, bhadar samaj me yeh man deya jata hai, yeh koie man ka patre naheen hai. Cinemas, aur theatres men cigarette piney say serf swasth ke liey haniker naheen hai parantu is say kabhi kabhi ag bhi lag jati hai. Is ke birodh men jo cigarette pineywaley admi hain wah kahtey hain ke cigarette pina naheen rokna chaheay, keonke admi theatre, bioscope men jatey hain, recreation ke liey, kaisey hoga recreation jab up band kerdengey. Parantu men yeh kahna chahta hoon, ap log ager cigarettes piker recreation kertey hain to wahan per bohut zeada sankhia men aisay admi bhi hain jo naheen pitey hain, unka kaisay recreation hoga, unka kiya hal hoga.

Cinema and theatre men recreation serf cigarette piney walon ke liey naheen hota hai bulkey sub ke liey hota hai, isliey agar hamari Government tram aur motor bus men bhi cigarette pina bond kerden to bohut acha ho. Tram men hum log dekhtey hain ke cigarette piney ke wajah say bara bara accident hota hai.

Main is bill ko redhai say samarthan kerta hoon.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Prohibition of Smoking in Show Houses and Public Halls Bill, 1950, as settled in the Assembly, be passed was then put and agreed to.

The West Bengal Clinical Establishments Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the West Bengal Clinical Establishments Bill, 1950.

(Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Clinical Establishments Bill, 1950, be taken into consideration.

Sir, the reasons for which this Bill has been brought before the House by the Government are known to most people. A large number of nursing homes, maternity homes, physical therapy establishment and other similar establishments are springing up now-a-days, particularly, in the city of Calcutta. The Government have observed with concern that many of these establishments are spurious, particularly maternity homes and physical therapy establishments where undesirable activities are carried on under a false guise. In many other establishments, proper equipments are not provided, and proper personnel are not employed. It has therefore been thought desirable in the interest of public health and morality that the Government should be able to exercise control over such establishments in order to see that they are not used for immoral purposes, proper hygienic and scientific arrangements are made, proper accommodation is available and properly trained personnel are employed in such establishments. It is necessary for that purpose to provide for the compulsory registration of (1) nursing homes including maternity homes, (2) physical therapy establishments and (3) clinical laboratories for the diagnosis of diseases and for the taking out of licences by such establishments.

Sir, to this motion also there have been some amendments and in order to satisfy my friend Mr. Sibnath Banerjee I may tell him that some of these amendments have been brought in because there have been some printing mistakes in some cases, and in some cases after consultation with the other members we thought that one or two words may be added to make the meaning more clear. Fortunately for us wisdom is not static; it goes on getting better; we are getting wiser and wiser every day. What my friend Sibnath Banerjee does not understand today, he may be wiser tomorrow to understand that.

Janab MD. KHUDA BUKHSH: Sir, I am perhaps the happiest among the members, because it was I who first brought this matter to the notice of Government. I think it was some two years ago that I tried to bring it to the notice of Government that these health homes and nature clinics and such other (the Hon'ble Dr. BIDHAN CHANDRA ROY: Massage) establishments were causing damage to the morals of our young men. Now, Government after due investigation have come to the conclusion that they should be suppressed and those establishments which are indulging in immoral and questionable activities should be liquidated.

Sir, I congratulate the Hon'ble Minister for bringing in this legislation.

Sj. SIBNATH BANERJEE: Sir, I had no desire to intervene in this debate, because I think it is a very desirable measure, but the Hon'ble Chief Minister did me honour by referring to me in his speech. Therefore, I want to say a few words. I entirely agree with the Chief Minister that knowledge is not static.

The Hon'ble Dr. BIDHAN CHANDRA ROY: It grows more and more.

Sj. SIBNATH BANERJEE: I know, however, that Dr. Roy has been static with his capitalistic views for the last few years. He has not moved even one inch from his views just as I have been a no-changer in my socialistic views. He will not learn tomorrow what he does not understand today. (The Hon'ble BHUPATI MAZUMDAR: You have changed many times.) Sir, I do not know how many such Knights Dr. Roy has got behind him! However, the defence he has put forward is, I should not say, unworthy but it is unjustified. If there are only printing mistakes, that is a simple matter. But if there be other mistakes which are to be corrected in this Bill and in every other Bill, then that defence is very difficult even for Dr. Roy. I wish that such mistakes will not be seen in future.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Clinical Establishments Bill, 1950, be taken into consideration was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Sj. SUSIL KUMAR BANERJEE: Sir, here is a clerical mistake. With your permission, Sir, I beg to move that in clause 2, line 14, for the words "diseases, is" the words "diseases, are or is" be substituted.

I also beg to move that in clause 2 (*c*), lines 3 and 4, for the words "post-natal and ante-natal" the words "ante-natal and post-natal" be substituted.

The motions were then put and agreed to.

The question that clause 2, as amended, do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Clause 7.

The question that clause 7 do stand part of the Bill was then put and agreed to.

Clause 8.

Sj. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 8(2)(*d*), line 1, for the words "medical practitioner" the words "registered medical practitioner" be substituted.

The motion was then put and agreed to.

The question that clause 8, as amended, do stand part of the Bill was then put and agreed to.

Clause 9.

The question that clause 9 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Clinical Establishments Bills, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The West Bengal Dental Board Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the West Bengal Dental Board Bill, 1950.

(Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Dental Board Bill, 1950, be taken into consideration.

Sir, the proviso to section 21 of the Dentists Act, 1948, which is an all-India Act which was enacted by the Centre on an all-India basis, lays down that the Dental Board established under the Bengal Dentists Act, 1939, shall be deemed to be the Provincial Dental Council under the Central Act. Under the provisions of the Dentists Act, 1948, it prevents us from possessing a Provincial Dental Council. Bengal was the only Province which had a Dental Board as provided under the Bengal Dentists Act, 1939. Therefore, the West Bengal Dental Board was last reconstituted in May, 1945, and the term of office of its members was due to expire on the 14th May, 1950. It was decided in consultation with the Government of India to take steps for the constitution of a State Dental Council for West Bengal in accordance with the provisions of the Central Act, so that the new Council could start functioning from the 1st January, 1951. But as there was no time left for reconstitution of the existing West Bengal Dental Board by election under the Bengal Act and there was also no provision for extension of the life of the Board, the term of office of members of the Board was extended up to the 31st December, 1950, by promulgation of an Ordiance.

It is now proposed to pass an Act incorporating the provisions of the said Ordinance.

Sir, the Bill is a small one, namely, that the present Dental Board should continue to work till December, 1950, and the new Dental Council under the Dental Act of 1948 will be formed from the 1st January, 1951.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Dental Board Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The Legislative Assembly of West Bengal (Removal of Disqualifications) Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the Legislative Assembly of West Bengal (Removal of Disqualifications) Bill, 1950.

(Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Legislative Assembly of West Bengal (Removal of Disqualifications) Bill, 1950, be taken into consideration.

Sir, under section 69(1)(*a*) of the Government of India Act, 1935, a person was disqualified from being a member of a Legislative Assembly if he held an office of profit under the Crown unless a law was passed by the Provincial Legislature declaring any office of profit as not disqualifying for the above purpose. The Bengal Legislature (Removal of Disqualifications) Act, 1937, was accordingly passed by the then Bengal Legislature declaring the office of the Parliamentary Secretary as not disqualifying in the above sense. This Act still remains in force by virtue of section 372(1) of the Constitution. There is a similar provision in the Constitution that under Article 191(1)(*a*) a person will be disqualified from being a member of the Legislative Assembly if he holds any office of profit under the Government of the Union or of a State unless this office is declared by the Legislature of the State by law as not to disqualify its holder in this sense. We are satisfied that Article 191 applies to the Legislative Assembly to be constituted under the Constitution but does not apply to the old Provincial Legislative Assembly which by virtue of section 382(*i*) is only exercising powers and performing the functions of the Legislative Assembly and the Legislative Council of West Bengal to be constituted under the Constitution.

Secondly, even if Article 191(1)(*a*) applies, the Removal of Disqualifications Act of 1937 is an exempting law passed by the Legislature within the meaning of article 191(1)(*a*). Nevertheless, in order to be on the safe side, an Ordinance was passed under Article 191(1)(*a*) retrospectively effective from the 26th January, 1950, and declaring the office of the Parliamentary Secretary as one which would not disqualify for membership. Some other Part A States enacted similar retrospective Ordinances. The present Bill seeks to replace the provisions of the Ordinance.

Sir, with these words, I beg to move the Bill which stands in my name. This, as has been explained in the Statement of Objects and Reasons, is a creation of the Government of India Act, 1935. We did not take any steps so long because we were advised, as I have indicated in my speech already, that it was not necessary to come before the Legislature for this purpose, but it was also felt that in case there be some doubts, it would be better to have the sanction of the House and so we were advised at the late stage by the Government of India to put the matter before the Legislature and get the legislative sanction to the continuance of the Removal of Disqualifications Act which was passed by the legislature in 1937.

Sj. SIBNATH BANERJEE: Sir, may I make my observations now?

Sir, this Government and the Chief Minister are so static that we do not know what they are talking about. Either this Bill is necessary or not necessary. He said that some doubts have been expressed. In the Statement of Objects and Reasons also I find "As some doubt has arisen....." About the doubt, there are legal experts, the Supreme Court, for instance, and it should have been set at rest. If the Bill is not necessary, it should not have been moved.

Mr. SPEAKER: You know that in legal matters there are always doubts. It is better to have the doubts set at rest.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, that is quite true. Lawyers will differ, but this Government will be guided by some lawyers—the Advocate-General or the Supreme Court Judge—and they should follow their advice courageously. Whether they stand or fall they should follow it and not say that there is great doubt about it. So, either it is not necessary or, in the alternative, it has come too late. For instance, the Ordinance that preceded it only on the 6th September tried to validate an act of omission since the 26th January. If it has been wrong from the 26th January, the Parliamentary Secretaries are no longer members including the Chief Whip and even Dr. Roy's injection will not resurrect them. Either they are dead or not dead. If they are not dead, they are living and kicking also. If they are dead, they should not have wasted our time by bringing in this Bill. (The Hon'ble Dr. BIDHAN CHANDRA ROY: Even there is a state between life and death.) Therefore, I strongly suggest that it should be dropped now because they have been carrying on so long without any Bill. The Ordinance that was passed on the 6th September was also bad in law and I am going to move a resolution disapproving of it because the Governor had no right to pass an Ordinance from the 26th January when one whole session—the budget session—intervened. He should have done it within the budget session, but he should not validate his Ordinance pre-dating it from the 26th January. Even in a Bill it is difficult to have retrospective effect—the Ordinance-making power is very limited—that can be applied only when it is urgently necessary. From the 26th January to 6th September it was not necessary. On the 6th September Dr. Roy wakes up or Mr. Susil Banerji wakes up and finds that there is something wrong and tries to validate the Act. That cannot be done on the 6th September. Whatever was done by the Governor does not stand. He could have passed an Ordinance up to the last day of the session. Beyond that he cannot go under the Ordinance-making power which is given in section 282 of the Constitution. Sir, I am thankful to you for having supplied us with this. We have the armoury ready at hand. According to the Constitution the Governor had no right to pass an Ordinance trying to validate an act of omission of this Government from the 26th January. If this Government thinks it is all right, let them go on merrily as they have been going on for all these months. If they found out a mistake, they should have kept quiet. If they found that it was necessary to rectify the mistake, they should have said that some doubt has been raised and they should have taken courage in both hands and should have said "We made a mistake and we are rectifying it." After all, we do not want the poor Parliamentary Secretaries to be chucked out from office.

I have got an Ordinance which was laid before the House yesterday or the day before. Here the second part says "Whereas the Legislative Assembly of West Bengal is not in session"—probably it was not in session on the 6th September, but it was in session from February and the whole of March—then it says "the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action." That immediate action has been taken very late—late by nine months. That is bad in law under section 203 of the Constitution. Whatever he has done does not stand and today to try to validate that Ordinance by a Bill is still more wrong. Therefore, I want your ruling on the subject. As I said, this is all right—there is no necessity for this Bill. If it is not, the Parliamentary Secretaries are already dead. By some Ordinance from the Centre or from the Supreme Court they will have to bring orders, otherwise they are dead and I say, even Dr. Roy's injection will not resurrect them at

all. A dead man from the 26th January cannot be revived on the 6th September which the Governor tried to do—a miracle. Miracles do not happen these days. Therefore, I suggest that this Bill should be dropped and proper legal opinion should be taken as to how to resurrect them and then they should come before this House—not with this Bill. They say doubts exist in their minds or in the mind of somebody. This is not the place for doubts. Doubting people should not be here. They should know what they are doing. They have done something which is wrong. The way they are correcting it is, I think, not the proper procedure they should have taken.

Janab MD. KHUDA BUKHSH: Mr. Speaker, Sir, I rise to support the contention raised by the honourable member who has just spoken. Sir, the Honble Chief Minister who is in charge of this Bill admitted before this House that the old Bill framed in 1937 was still in force and it was under the old Bill that the Parliamentary Secretaries are still functioning. Sir, he has not told us that the old Bill has been repealed or that this Bill seeks to supersede the old Bill and even so it is bad in law because, as the honourable member has just mentioned in the House and has drawn attention to it that this Bill cannot possibly under the law validate an act of omission from the 26th of January. Sir, a whole session has intervened and an Ordinance cannot possibly go beyond that session. Sir, I shall seek your ruling on this point whether this Bill can legally validate the continuance of the Parliamentary Secretaries from the 26th of January when a whole budget session intervened.

Sir, the Hon'ble the Chief Minister in his Statement of Objects and Reasons stated, "As, however, some doubt has arisen that Article 191(1)(*a*) may apply". Sir, the House should not have been presented with a Bill which seeks to remove a doubt which may be there or may not be there. Legal opinion should have been sought. If the Hon'ble Chief Minister told the House that he has sought legal opinion and had quoted the Advocate-General for the State that this Bill is necessary, then, Sir, some means could have been devised in this House, certainly not this Bill because this Bill is bad in law. It cannot be brought before this House because the last session has intervened and the Ordinance cannot now stand because it has not been legally done.

Then, Sir, I find that our Chief Minister, who is an allopath and a very, very eminent allopath at that, has prescribed a kind of homeopathic medicine. If the disease is there you give a drop of the medicine and it will cure the patient. If the disease is not there it will certainly not harm him. This is the kind of thing that he has brought before this House. I also oppose this measure on technical grounds—not that I have no sympathy with my friends who have been serving Government as Parliamentary Secretaries. I think they should get emoluments and they should continue to function. But, Sir, today they are dead and cannot be revived by this Ordinance. If Government feel that the old Act which is still in operation and which has not been superseded by any other enactment of Government should operate, there is absolutely no need of this Bill to be brought before this House. Sir, I want your ruling as to whether this Bill is legal and can be brought before the House.

The Hon'ble Dr. BIDHAN CHANDRA ROY: There are two questions which have been raised. Firstly, whether we can have an Ordinance or a Bill with retrospective effect. I will refer my legal friend—I am not a lawyer. (Janab MD. KHUDA BUKHSH: Nor am I!)—to 53 C.W.N. in which all the five Judges of the Calcutta High Court have held that the Governor can make an Ordinance retrospectively effective even from a date

on which the Legislature was in session. Therefore, that is the opinion which we have got from the highest Tribunal, so far as this Province is concerned.

As regards the other question, namely, why we have brought it in, although there seems to be no clear indication given of this, I use the same simile which Mr. Khuda Bukhsh and I think Mr. Sibnath Banerjee used. When a doctor goes to a patient's bed-side he is in doubt whether he is alive or dead. In that case he makes the patient take something, so that he may not die. Now that is our opinion and the opinion of the Central Attorney-Generals. We wrote to the Government of India, and the reason for the delay in bringing it up is that we have been in correspondence all this time. Our lawyers take some view, while they take some other view, and ultimately it was agreed between the two legal authorities that it would be better not to leave any doubt in the mind of anybody. Let it be cleared up by an Ordinance in the first instance and legislation in the next. Sir, we were not sleeping at all. Ever since the beginning of January we have been in correspondence. We have held the view definitely that it is not necessary, but the Government of India in the beginning seemed to think that some Bill of this type was necessary, and thus we went on with correspondence. Opinions were taken here and in Delhi, and in the end it was only about the end of August that the Government of India, Legislative Department, informed us that it would be better for us to have an Ordinance followed by a Bill. And therefore we have brought this in, in order to remove any possible doubt.

Janab MD. KHUDA BUKHSH: Sir, I want to have a little more information than what has been vouchsafed by the Chief Minister. He has said, that his Government and the Central Government were in correspondence on the subject and that it was at last decided between the highest legal opinions of the State and of the Centre that some such legislation was necessary to remove the doubt. The Parliamentary Secretaries have been functioning under the Act framed in 1937. Our Government's view apparently and obviously is, as the Chief Minister has said, that the Act was sufficient, and the Parliamentary Secretaries could function under that Act. Now when it has been decided and agreed between two sets of lawyers of Bengal and India that it is dead *ipso facto* with the ushering in of the new Constitution.....

The Hon'ble Dr. BIDHAN CHANDRA ROY: Not dead, but only to remove doubts.

Janab MD. KHUDA BUKHSH: Yes, but the 1937 enactment is dead.

Mr. SPEAKER: You cannot argue like that. What is the specific point that you want to raise?

Janab MD. KHUDA BUKHSH: I was putting it before the House. My point is that either the 1937 enactment is dead *ipso facto* with the ushering in of the new Constitution, or it is not. I want your ruling whether it is still in operation or it is not in operation.

Mr. SPEAKER: The position is that this is a Bill which is before us. We are not discussing the Ordinance. So far as this Bill is concerned, what does it say? It says that the Act shall come into force immediately on the Legislative Assembly of West Bengal (Removal of Disqualifications) Bill, 1950, ceasing to operate. Therefore if there is any retrospective effect given it was given by the Ordinance and not by the Bill. This Ordinance is still in operation. Therefore this Bill comes into force on a future date, and it has got nothing to do with retrospective effect. Whatever

retrospective effect there is, is given by the Ordinance itself. When we consider the Ordinance this question may arise, and that may have to be discussed.

Now with regard to the question whether this Bill is necessary or not, honourable members know quite well that on many legal points sometimes doubts remain; and whenever there is any doubt on any legal point there should be a legislation to clear up that doubt. Therefore I believe that it is always advisable for the Legislature to clear up a doubt. Mr. Khuda Bukhsh has said with regard to the position of the Parliamentary Secretaries that either it was legal and valid or it was not. Well, there is no such finality about this opinion. Whether it is valid or it is invalid, that can only be tested in a court of law. So far as this Bill is concerned which is before this House, in my opinion, the Government is entitled to put the matter beyond doubt even so far as the future is concerned. So far as the past is concerned whether those particular members were qualified for holding office, that is not a question which I am to decide in this House. That is a question which will be decided elsewhere. Therefore, in my view, so far as this Bill is concerned, I cannot declare that Government is not justified or that the Government cannot bring in this Bill before the House or that this Bill cannot be passed in this House. Even with regard to retrospective effect, it is quite true that the Full Bench of the High Court in 53 C.W.N. had decided that retrospective effect can be given even when during the interval the Legislature has sat. Therefore even with regard to the Ordinance though I am not strictly bound to give my opinion on the Ordinance itself unless the Ordinance is the subject-matter before us, I wish to say that even in an Ordinance retrospective effect can be given.

Now with regard to the question of the Parliamentary Secretaries, what is the legal position is not for me to decide; it will be decided somewhere else.

Janab MD. KHUDA BUKHSH: Sir, I want to make one submission though I bow down to your ruling. My submission is that in that case the discussion of this Bill should be postponed till we have discussed the Ordinance. Unless that is done, we shall have taken a decision which will be premature and in advance of the decision that the House may be called upon to take in respect of the Ordinance. Therefore I suggest, now that Government have placed the Ordinance before the House, that it should be taken up first. First things should come first. We shall debate the Ordinance; we shall try to throw it out on legal grounds, and if we do not succeed then this Bill can come.

Sir, if the House today passed the Bill the House would be presented with something in the nature of a *fait accompli*, when the Ordinance is presented before it. If the House would then think fit to throw it out it could not do so because the Bill would stand in the way. Therefore the Ordinance should be debated upon first and then we should take up the Bill.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I would point out to you and to this House that the assumptions of my honourable friends opposite are based on a fallacy altogether. As the Hon'ble the Chief Minister has already stated that in the definite opinion of the Government of West Bengal on the advice of their legal officers.....

Mr. SPEAKER: Mr. Niharendu Dutt-Mazumdar, I do not think you need say anything on the subject after I have given my ruling.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: There is no question of Parliamentary Secretaries in the past having ceased to exist as members of the House.

Mr. SPEAKER: That question does not arise at this stage.

Sj. SIBNATH BANERJEE: Sir, I entirely agree with the suggestion made by Janab Khuda Bukhsh. I think it would be better if we discussed the Ordinance first and then the Bill. Otherwise what would happen? The Judges of the Calcutta High Court might give one opinion and the Supreme Court another. We had already committed a mistake by somebody's drafting. It might be that of a legal expert or of a Secretary or of a Minister. The High Court pulled us up and this may again happen. So instead of spoiling their face twice or thrice let Government consider the Ordinance first and in the meantime let them take the highest legal opinion and consider the Bill and pass it. Even if it is passed and the Ordinance is bad in law, the opinion of the Calcutta High Court may be thrown out by the Supreme Court. Therefore I am suggesting a static course. (The Hon'ble Dr. BIDHAN CHANDRA ROY: You are always static.) Please do not change if you cannot change for the better because you do not know now what you are changing for. Therefore I suggest, let us postpone the Bill and discuss the Ordinance. Government will then have enough time and they have majority of votes and can pass anything, even if we obstruct. It would be a safer proposition not to rush with this Bill but to see if the Ordinance is correct, and then chalk out the programme.

Mr. SPEAKER: The position is this. The Ordinance was laid before the House yesterday. There was then no motion disapproving of the Ordinance. Now whatever may have been the Ordinance that Ordinance is a thing of the past. This Bill is now before the Legislature. Both of them cannot have the same effect now. Suppose there was no Ordinance. Government had prepared this Bill and has now placed it in the House to get it passed. Now in the first instance there is no motion before the House disapproving the Ordinance. Now this Bill is before the House for removing the disqualification. Now if the retrospective effect given by the Ordinance is wrong or illegal.....

Janab MD. KHUDA BUKHSH: If it is wrong, if the retrospective effect given by the Ordinance is wrong, this Bill seeks to perpetuate it.

Mr. SPEAKER: No. So far as this Bill is concerned it relates to the future and not to the past. The Ordinance relates to the past. If the Ordinance was wrong and if you desire that to be tested in the High Court or in the Supreme Court, that is our look-out. But so far as this Bill is concerned I feel there is absolutely no reason why this Bill should be postponed. Now there is no opportunity of discussing the Ordinance. Yesterday it was laid before the House and there was an opportunity of discussing the Ordinance and there should have been a motion disapproving the Ordinance.

Sj. SIBNATH BANERJEE: As a matter of fact, Sir, I feel that for 39 days the Ordinance is alive because this Bill will have operation six weeks after the laying of the Ordinance in the House. So we can move our disapproval motion any time within 42 days of its laying before the House. We are not time-barred to bring a motion now that we disapprove it. On the other hand if it is out-voted that would not be our fault when the legal opinion is in our favour. So you can now withdraw the Bill or postpone it as has always been done.

Mr. SPEAKER: Mr. Banerjee, I have explained to you and I explain to you once more that so far as the Ordinance is concerned I must say that the Ordinance has nothing to do with this Bill, even if it be declared that the Ordinance is bad in law. Therefore it has no connection with this Bill.

What does this Bill say? Do you say that this Bill is *ultra vires* of the Legislature or that it cannot be discussed by the Legislature because the Ordinance is bad in law? If it be held that the Ordinance is invalid or it should not have been made, even then this Bill can come into force as an Act of this Legislature immediately even before the expiry of the Ordinance. In any event the Bill is now before us and I do not think there is anything against the Bill. It is *intra vires* and can go on if the Government so desire. If the Government want to proceed with the Bill I cannot prevent them.

Sj. SIBNATH BANERJEE: My suggestion was both to the Government and to you, Mr. Speaker.

Mr. SPEAKER: May I know whether Government wants to postpone this Bill?

The Hon'ble Dr. BIDHAN CHANDRA ROY: No, no.

(At this stage the House was adjourned for fifteen minutes.)

(After adjournment.)

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Legislative Assembly of West Bengal (Removal of Disqualifications) Bill, 1950, be taken into consideration was then put and a division taken with the following result:—

AYES—38.

Bandopadhaya, Sj. Pramatha Nath.	**Majumdar, The Hon'ble Bhupati.**
Banerjee, Sj. Susil Kumar.	**Mal, Sj. Iswar Chandra.**
Barman, The Hon'ble Syama Prasad.	**Mallick, Sj. Ashutosh.**
Bhandari, Sj. Charu Chandra.	**Mandal, Sj. Annadaprasad.**
Bhattacharyya, Sj. Shyamapada.	**Mandal, Sj. Bankubehari.**
Chatterjee, Sj. Haripada.	**Mandal, Sj. Krishna Prasad.**
Clarke, Mr. C. E.	**Mandal, Sj. Umesh Chandra.**
Das, Sj. Radha Nath.	**Mookerjee, The Hon'ble Kalipada.**
Das Gupta, Sj. Khagendra Nath.	**Murarka, Sj. Basantlal.**
Dass, Sj. Kanailal.	**Naskar, Sj. Ardhendu Sekhar.**
De, Sj. Kanai Lal.	**Naskar, The Hon'ble Hem Chandra.**
Dolui, Sj. Harendra Nath.	**Panja, The Hon'ble Jadabendra Nath.**
Dutt-Mazumdar, The Hon'ble Niharendu.	**Pramanik, Sj. Rajani Kanta.**
Gayen, Sj. Arabinda.	**Roy, The Hon'ble Dr. Bidhan Chandra.**
Golam Hamidur Rahman, Janab.	**Roy, Sj. Jajneswar.**
Haldar, Sj. Kuber Chand.	**Roy Singh Sarker, Sj. Satish Chandra.**
Mahanty, Sj. Charu Chandra.	**Sarker, The Hon'ble Nalini Ranjan.**
Maiti, The Hon'ble Nikunja Behari.	**Sen, The Hon'ble Prafulla Chandra.**
Majhi, Sj. Nishapati.	**Shamsul Huq, Janab.**

NOES—2.

Banerjee, Sj. Sibnath.	**Khuda Bukhsh, Janab, Md.**

The Ayes being 38 and the Noes 2, the motion was carried.

Clause 1.

The question that clause 1 do stand part of the Bill was than put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Legislative Assembly of West Bengal (Removal of Disqualifications) Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The West Bengal Disturbances Commission of Enquiry Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the West Bengal Disturbances Commission of Enquiry Bill, 1950.

(Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Disturbances Commission of Enquiry Bill, 1950, be taken into consideration.

Sir, in pursuance of the provisions of the Agreement reached between the Prime Ministers of India and Pakistan on the 8th April, 1950, a Commission of Enquiry was set up by the Government of West Bengal to enquire into and report on the causes and extent of the recent disturbances in West Bengal and to make recommendations with a view to preventing recrudescence of similar trouble in future.

It was necessary for the Commission to have certain legal powers and these were conferred upon it by the West Bengal Disturbances Commission of Enquiry Ordinance, 1950 (West Bengal Ordinance No. VII of 1950), promulgated on the 3rd June, 1950.

The Commission has not yet concluded its deliberations. It is desirable that the legal powers vested in the Commission should continue till it ceases to operate. The Bill is intended to enact the provisions of the aforesaid Ordinance with a slight modification so that the Commission may continue to have the legal powers now vested in it.

I need not dilate upon this particular proposition. A High Court Judge with two other Assessors is conducting the enquiry, and they are going to make a report very soon. This Bill is necessary to continue clothing them with powers which are given to them by the Ordinance.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Disturbances Commission of Enquiry Bill, 1950, be taken into consideration was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, I would like to say one word only.

Mr. SPEAKER: On what subject?

Sj. SIBNATH BANERJEE: On the preamble of the Bill. In the first two lines of the preamble it is stated "whereas a Commission of Enquiry has been appointed to enquire into the recent disturbances in West Bengal'. In the Statement of Objects and Reasons it is stated "to enquire into and report on the causes and extent of the recent disturbances in West Bengal and to make recommendations". In the first two lines of the preamble the full thing is not there. Is it an omission or is it quite all right or any short-notice amendment is expected from Sj. Susil Banerjee?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, no amendment is necessary. I do not know what the question is. In the first two lines of the preamble it is stated "whereas a Commission of Enquiry has been appointed to enquire into the recent disturbances in West Bengal, and whereas it is expedient to vest the said Commission of Enquiry with powers of a Civil Court". The Commission of Enquiry is there to enquire into the recent disturbances and also to suggest remedies or as put in the Statement of Objects and Reasons to make recommendations with a view to preventing recrudescence of similar trouble in future. This is a very important aspect of the enquiry. Sir, I do not think I can insult the intelligence of Mr. Banerjee if I point out to him that for the purpose of making recommendation, no legal authority is necessary. They can make recommendation without enquiry. For the purpose of making enquiry, legal authority is necessary—to administer oath, to get evidence and so on. For the first part only, that is enquiry, legal authority is necessary. The second part, that is making recommendation, is entirely in the hands of the Commission.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Disturbances Commission of Enquiry Bill, 1950, as settled in the Assembly, be passed.

Janab MD. KHUDA BUKHSH: Mr. Speaker, Sir, the Commission of Enquiry was set up under the historic Delhi Agreement. The House was informed by the Hon'ble Chief Minister that they are shortly going to submit their report to Government. The procedure adopted by the Commission is their own business, because they were authorised to draw up their own rules of procedure, and that being a legal proceeding presided over by a High Court Judge we have got nothing to say against it. It is not clear whether the recommendations and the report submitted by the Commission of Enquiry will be available to the public. They will, I think, submit their report and recommendation about preventing recrudescence to the Government. I want an assurance from the Chief Minister that they will make the report and recommendation made to Government of West Bengal public.

The Hon'ble Dr. BIDHAN CHANDRA ROY: All that I can say at this stage is that both the report as well as the recommendation will in the usual course be forwarded to the two Prime Ministers, and it is for them to give their directions, because the whole of the proceedings is going on by virtue of the Agreement arrived at between them. I do not know what they will direct.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Disturbances Commission of Enquiry Bill, 1950, as settled in the Assembly, be passed, was then put and agreed to.

Supplementary Estimates of Expenditure for 1950-51.

The Hon'ble NALINI RANJAN SARKER: Sir, I rise to present before the House a statement of supplementary estimates of expenditure for the year 1950-51 under the provisions of Article 205 of the Constitution of India. I am aware that on many similar occasions in the past, the House had expressed its sense of grievance that by being called upon to accord its approval to these supplementary estimates at the fag end of the year, it was only being asked to set its seal on a *fait accompli*. It is now provided in the Constitution that while all revenues received, loans raised and moneys received in repayment of loans shall form one consolidated fund to be entitled "the Consolidated Fund of West Bengal", no moneys out of the said consolidated fund shall be appropriated except in accordance with law passed by the House. Article 205 of the Constitution accordingly provides for the presentation of supplementary estimates of expenditure whenever the sums previously authorised to be expended on a particular service in the current financial year is found to be insufficient or when a need has arisen during the current financial year for expenditure on some new services not contemplated for that year. The supplementary estimates which I have the honour to present before the House do not, for the first time in the parliamentary history of the State, represent a request for post-factor authorisation of expenditure already incurred; through them the House is only asked to use its constitutional right to scrutinise the expenditure involved and I am asking for authorisation of the same by the House sufficiently before the amounts already authorised by it during the last budget session have been fully expended. This undoubtedly goes far in tightening the control of the House over the expenditure of the Government and I feel a natural satisfaction that it has been given to me to introduce this new procedure which is a great constitutional safeguard in the hands of this House.

The total amount covered by the present supplementary estimates is Rs. 3,93,89,001, out of which Rs. 17,11,000 is for charged expenditure. Of the charged expenditure of Rs. 17,11,000, Rs. 15 lakhs represent payments in satisfaction of courts' decrees under "64-C—Preparation Payments" and Rs. 2 lakhs 11 thousand represent expenditure on Governor's Estates mainly on repair of damages to buildings in Darjeeling caused by the last cyclone. Under the voted items, Rs. 50 lakhs represent a new demand to provide for the establishment of a contingency fund of West Bengal to serve as an imprest for making advances as and when required for meeting emergent and unforeseen expenditure for which no budget provision exists. Such advances will in due course be recouped when the authority of the Legislature has been obtained to such expenditure. Rupees 1,10,00,000 represent provision on account of prepartition payments. The balance of Rs. 2,33,89,001 represents provision either for new service or for anticipated excess expenditure over original estimates.

The House will find that the largest demand under the heads of Revenue Expenditure is under "57—Miscellaneous Expenditure on Refugees". The provision under this head represents expenditure in connection with the dispersal of displaced college students from Calcutta with a view to relieving congestion in the educational institutions of the city. The entire expenditure on this account will be financed out of a loan specifically sanctioned by the Government of India for this purpose.

The next largest demand is under "29—Police". The provision is required for strengthening the police force both in Calcutta and in the districts to meet emergencies.

The demand for Rs. 42,20,000 under "50—Civil Works" represents additional cost of construction and repair works both in respect of buildings and

communications. Out of this amount, over Rs. 21 lakhs represent cost of repairs of damage to roads, jhoras and buildings caused by the recent landslides and flood in Darjeeling and Jalpaiguri.

The demand of Rs. 2 lakhs under the new revenue head "54-A—Territorial and Political Pensions" is meant for payment of allowances to the relatives of the ex-Ruler of Cooch Behar and other members of his household which has since been declared by the Government of India to be a charge on the State. No provision was made for this purpose in the original budget on the assumption that such allowances would be payable by the Government of India.

The demand for Rs. 30 lakhs 7 thousand under the capital head "81—Capital Account of Civil Works outside the Revenue Account" is mainly for payment of certain outstanding claims in respect of tools and plants purchased last year for the use of the Works and Buildings Department which could not be paid for in that year on account of delay in settlement of suppliers' bills. It also includes the cost of construction of three roads in Cooch Behar, pending decision on the question of adjustment of charges against the pre-merger cash balance of Cooch Behar.

The demand of Rs. 29 lakhs 75 thousand under the head "Loans and Advances by the Provincial Government" is due to payment of new loans to certain municipalities and district boards to assist them in the execution of essential works and also for larger advances required to be made to cultivators as a result of recent natural calamities.

The demands under other heads are comparatively small and call for no comments. It will be noticed that a token grant of Re. 1 under the head "40—Agriculture" has been sought as the expenditure relates to a new service although that will be covered by re-appropriations from savings under that head.

The reasons for all the demands in the supplementary estimates have been set forth in the Explanatory Memorandum given under each head. The Hon'ble Ministers-in-charge of different departments will go into them more fully as each demand is moved.

With these words, Sir, I present the estimates of Supplementary Budget for 1950-51.

GOVERNMENT BILLS.

The Calcutta Municipal (Second Amendment) Bill, 1950.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the Calcutta Municipal (Second Amendment) Bill, 1950.

(Secretary then read the short title of the Bill.)

I beg also to move that the Calcutta Municipal (Second Amendment) Bill, 1950, be taken into consideration. The reasons are given in the Statement of Objects and Reasons.

The motion was put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the Calcutta Municipal (Second Amendment) Bill, 1950, as settled in the Assembly, be passed.

The motion was put and agreed to.

The West Dinajpur Union Boards Bill, 1950.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the West Dinajpur Union Boards Bill, 1950.

(Secretary then read the short title of the Bill.)

Sir, I beg also to move that the West Dinajpur Union Boards Bill, 1950, be taken into consideration.

The motion was put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the West Dinajpur Union Boards Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The West Bengal Fire Services (Amendment) Bill, 1950.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the West Bengal Fire Services (Amendment) Bill, 1950.

(Secretary then read the short title of the Bill.)

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the West Bengal Fire Services (Amendment) Bill, 1950, be taken into consideration.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the West Bengal Fire Services (Amendment) Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The West Bengal District Boards (Second Amendment) Bill, 1950.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the West Bengal District Boards (Second Amendment) Bill, 1950.

(Secretary then read the short title of the Bill.)

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the West Bengal District Boards (Second Amendment) Bill, 1950, be taken into consideration.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the West Bengal District Boards (Second Amendment) Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The 24-Parganas District Board Dissolution (Temporary Provisions) (Second Amendment) Bill, 1950.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the 24-Parganas District Board Dissolution (Temporary Provisions) (Second Amendment) Bill, 1950.

(Secretary then read the short title of the Bill.)

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the 24-Parganas District Board Dissolution (Temporary Provisions) (Second Amendment) Bill, 1950, be taken into consideration.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put agreed to.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the 24-Parganas District Board Dissolution (Temporary Provisions) (Second Amendment) Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

Adjournment.

The House was then adjourned at 6-42 p.m. till 4 p.m. on Tuesday, the 3rd October, 1950, at the Assembly House, Calcutta.

Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 3rd October, 1950, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble ISWAR DAS JALAN) in the Chair, 12 Hon'ble Ministers and 57 members.

STARRED QUESTIONS

(to which oral answers were given)

Roads in the mufassal municipalities

***9. Maharaja SRIS CHANDRA NANDY, of Cossimbazar:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state if he is aware—

(*i*) that the roads in the municipal towns in the mufassal districts have deteriorated for want of proper repairs since the last war;

(*ii*) that the process of deterioration is still continuing; and

(*iii*) that most of the mufassal municipalities have not the requisite funds to make the necessary repairs?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state if the Government consider the desirability of—

(*i*) giving adequate subvention to the mufassal municipalities for the repairs of their roads; or

(*ii*) undertaking the repairs of the important roads of such municipalities at Government cost?

(*c*) If the answer to (*a*) be in the negative, do the Government propose to make necessary inquiries into the matter?

MINISTER in charge of the LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Jadabendra Nath Panja): (*a*)(*i*) Yes.

(*ii*) Yes, probably to a large extent.

(*iii*) This is generally true.

(*b*)(*i*) The policy of Government is not to give subvention to municipalities for the specific purpose of road repair but to see that municipalities have adequate funds to meet all their needs in respect of roads, sanitation, water-supply, conservancy, lighting, etc. Government are aware that the existing sources may not be adequate though even they are not being fully exploited but Government are awaiting the report of the Local Finance Enquiry Committee set up by the Government of India before deciding whether municipal finances are in need of improvement and how this improvement should be effected. As for roads, grants are made from time to time from motor vehicles tax receipts though they fall below the demands made by municipalities.

(*ii*) Government do not maintain roads within municipal areas except those which have been provincialised.

(*c*) Does not arise.

Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Will the Hon'ble Minister be pleased to state when the Local Finance Enquiry Committee's report will be published?

The Hon'ble JADABENDRA NATH PANJA: Most probably in the course of six months. The report has been signed by the members.

Roads and conservancy arrangements in the Hooghly-Chinsura Municipality.

***10. Sj. BEPIN BEHARI GANGULI:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the Table a statement showing—

(*a*) total mileage of metalled and unmetalled roads and lanes within—

(*i*) the whole of the Hooghly-Chinsura Municipality, and

(*ii*) in ward No. V of the municipality;

(*b*) the number of—

(*i*) sweepers for sweeping the roads and lanes—

(1) in whole of municipality, and

(2) ward No. V,

(*ii*) scavengers—

(1) whole of municipality, and

(2) in ward No. V,

(*iii*) methors for removing nightsoil—

(1) whole of municipality, and

(2) in ward No. V, and

(*iv*) dhangars for flushing the drain—

(1) whole of municipality, and

(2) in ward No. V; and

(*c*) what is the average (per head of the coolies of respective categories)—

(*i*) number of latrines serviced—

(1) whole of municipality, and

(2) ward No. V,

(*ii*) length of roads swept—

(1) whole of municipality, and

(2) ward No. V,

(*iii*) length of drain flushed—

(1) whole of municipality, and

(2) ward No. V, and

(*iv*) number of dustbins cleared—

(1) whole of municipality, and

(2) ward No. V?

The Hon'ble JADABENDRA NATH PANJA: (*a*)(*i*) Metalled—40 miles and unmetalled—30 miles.

(*ii*) Metalled—25,265 r.ft. and unmetalled—15,580 r.ft.

(*b*)(*i*)(1) Forty.

(2) Nine.

(*ii*)(1) Twenty-eight.

(2) Seven.

(*iii*)(1) One hundred and forty-four.

(2) Thirty-nine.

(*iv*)(1) Twenty-four.

(2) Five.

(*c*)(*i*)(1) Fifty-seven.

(2) Fifty-one.

(*ii*) (1) 1·75 miles.

(2) 4,538 r.ft.

(*iii*)(1) 1·75 miles.

(2) 5,053 r.ft.

(*iv*)(1) Five hundred and seventy-eight.

(2) One hundred and thirty-two.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to state what r.ft. means?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Running feet.

Conservancy service and water-supply arrangements of the Hooghly-Chinsura Municipality

***11. Sj. BEPIN BEHARI GANGULI:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state if it is a fact that in the Hooghly-Chinsura Municipality—

(*a*) the latrines are serviced once in a week in lanes and by-lanes and twice in a week in main roads;

(*b*) the drains are flushed once in a week;

(*c*) there is considerable increase of mosquito nuisance;

(*d*) most of the roads have not been repaired for the last ten years and that the Kamarpara portion of the bus route No. 1 has become unfit for vehicular traffic due to want of repairs;

(*e*) water mains have been damaged at several places in the Kamarpara road;

(*f*) pressure of water-supply has fallen much below the minimum; and

(*g*) rate-payers are experiencing scarcity of drinking water?

The Hon'ble JADABENDRA NATH PANJA: (*a*) The latrines are serviced on every alternate day in every area of the municipality. There is no discrimination in service in lanes, by-lanes and main roads.

(*b*) The shallow drains are cleared every day and the deep and *kutcha* drains twice in a week and in some cases once in a week.

(*c*) and (*e*) No.

(*d*) Some of the main roads were repaired some time back. It is not a fact that the Kamarpara portion of the bus route No. 1 has become unfit for vehicular traffic.

(*f*) The pressure is as before No minimum water pressure is prescribed under any rule.

(*g*) The total supply of filtered water remains the same but due to sudden influx of population there may be some shortage.

Externment of some office-bearers of Bhagatpur Cha Sramik Union, Jalpaiguri

***12. Sj. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state if it is a fact—

(*i*) that three office-bearers of the Bhagatpur Cha Sramik Union, district Jalpaiguri, namely, Sri Mangra Ram Munda, the Secretary, Sri Bariar Majhi and Sri Ramu Malpaharia have been externed from the district by the Deputy Commissioner, Jalpaiguri, on 24 hours' notice under the West Bengal Security Ordinance, 1949;

(*ii*) that the said union is a registered one and is a member of the West Bengal Cha Sramik Congress, affiliated to the I.N.T.U.C.; and

(*iii*) that the said three persons had been dismissed from service by the Manager of the Bhagatpur Tea Estate, but had to be reinstated when the union took up their case?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what were the specific charges against them that appeared to the Deputy Commissioner, as dangerous to peace and tranquillity of the district;

(*ii*) whether the Regional Labour Officer, Jalpaiguri, or the Assistant Labour Commissioner, Darjeeling, was consulted by the Deputy Commissioner, regarding the activities of these office-bearers of a registered Trade Union; and

(*iii*) whether any representation was made to the Deputy Commissioner by the West Bengal Cha Sramik Congress, and, if so, what has been the result of such representation?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (*a*)(*i*) and (*ii*) Yes.

(*iii*) They have not been reinstated.

The answer printed is a bit wrong, and, therefore, I want to point out that reinstatement has not taken place.

(*b*) (*i*) By taking a leading part in the agitation they were trying to endanger the peace and tranquillity of the gardens.

(*ii*) No.

(*iii*) Yes. The externment orders were withdrawn after the Deputy Commissioner had considered the representation made.

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রীমহাশয় বলবেন কি, কি ধরণের agitation ওরা করেছিল?

The Hon'ble Dr. BIDHAN CHANDRA ROY: They endangered the tranquillity of the gardens.

Dr. SURESH CHANDRA BANERJI: What was the nature of the agitation these three persons were carrying on?

The Hon'ble Dr. BIDHAN CHANDRA ROY: They were trying to endanger the peace and tranquillity of the gardens.

Dr. SURESH CHANDRA BANERJI: Sir, I want to know what was the kind of agitation they were making?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot tell you anything about that. They were reported to have been engaged in subversive activities.

Sj. KHAGENDRA NATH DAS GUPTA: মাননীয় মন্ত্রীমহাশয় বলবেন কি ভগবৎপুর চা বাগানে কোন গোলমাল হয়েছিল কি বা হবার সম্ভাবনা হয়েছিল?

The Hon'ble KALIPADA MOOKERJI: গোলমাল হয়েছিল এবং এখনও চলছে।

Sj. KHAGENDRA NATH DAS GUPTA: কি ধরণের গোলমাল হয়েছিল?

The Hon'ble KALIPADA MOOKERJI: Strike foment করার চেষ্টা হয়েছিল।

Sj. SIBNATH BANERJEE: On a point of order, Sir. The question is addressed to the Chief Minister, and unless requested by the Chief Minister why should the Labour Minister reply?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have already authorised the Labour Minister to reply.

Sj. SIBNATH BANERJEE: We have a right to know here and now that you have done so.

Mr. SPEAKER: This question also relates to the Labour Department.

Sj. SIBNATH BANERJEE: Then the Labour Minister should not have troubled the Chief Minister over this.

The Hon'ble Dr. BIDHAN CHANDRA ROY: My friend is anxious to drop in questions at every moment. In the question there is reference to externment which comes under my purview, but there are other matters also in the question which come under the purview of the Labour Department. I have answered the question about externment. I have said that they have not been reinstated. What is the nature of dispute for which they have not been reinstated is a matter for the Labour Department to state.

Sj. SIBNATH BANERJEE: Reinstatement comes under the Chief Minister or the Labour Minister?

The Hon'ble Dr. BIDHAN CHANDRA ROY: You ought to know that.

Sj. KHAGENDRA NATH DAS GUPTA: মাননীয় মন্ত্রীমহাশয় বলবেন কি যে, চাবাগানের কর্তৃপক্ষই reinstate করেন না গভর্ণমেণ্টের তরফ থেকে করা হয়?

The Hon'ble KALIPADA MOOKERJI: এ বিষয়ে চা-বাগানের কর্তৃপক্ষই reinstate করেন বটে কিন্তু না করা হলে গভর্ণমেণ্টের তরফ থেকে চাপ দেওয়া হয়।

Sj. KHAGENDRA NATH DAS GUPTA: এ ক্ষেত্রে গভর্ণমেণ্টের তরফ থেকে চাপ দেওয়া হয়েছিল কি? (The Hon'ble Dr. BIDHAN CHANDRA ROY: বলা হয়েছে।)

The Hon'ble KALIPADA MOOKERJI: Conciliation চলছে। এখনও পর্য্যন্ত শেষ সিদ্ধান্তে উপনীত হওয়া যায়নি।

Sj. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state when the Union was carrying on their normal activities in the meeting only for a living wage in these hard days that these men were arrested and externed?

The Hon'ble KALIPADA MOOKERJI: It was not correct to say that they were simply carrying on an agitation for a living wage.

Sj. SIBNATH BANERJEE: মাননীয় মন্ত্রীমহাশয় বলবেন কি law and order ছাড়া, আর কি হয়েছিল যাতে সেখানকার peace and tranquillity নষ্ট হবার উপযোগী হয়েছিল? বা উপযোগী হবে বলে মাননীয় মন্ত্রীমহাশয় মনে করেছিলেন?

The Hon'ble KALIPADA MOOKERJI: বহু রকমের ক্রিয়া দ্বারা সেখানকার শান্তি ভঙ্গের আশঙ্কা করা যেতে পারত।

East India Electric Supply and Traction Co., Chinsura.

***13. Janab MUHAMMAD IDRIS:** (*a*) Will the Hon'ble Minister in charge of the Industries Department be pleased to state—

(*i*) whether the account of the East India Electric Supply and Traction Co. of Chinsura, for the year 1948-49 has been examined by Government;

(*ii*) if so, whether any instance of artificial inflation of accounts of expenditure has come to the notice of the Government;

(*iii*) whether any amount, and, if so, what amount is paid towards payment of interest for loans;

(*iv*) the names of persons or firms, if any, from whom such loans were taken by the company;

(*v*) whether the company has enhanced the price as per unit electricity;

(*vi*) if so, the authority of the company for enhancing the rate; and

(*vii*) when the period of licence of the said firm is going to expire?

(*b*) Will the Hon'ble Minister consider the desirability of—

(*i*) taking over the said firm; or

(*ii*) including Hooghly-Chinsura Municipality within the area of Calcutta Electric Supply Corporation?

Sj. ARDHENDU SEKHAR NASKAR (on behalf of the Hon'ble Nalini Ranjan Sarker, Minister-in-charge of the Industries Department): (*a*)(*i*) The year of account of the company is from January to December. The account for the year 1948 has been examined by Government. The account for the year 1949 is due within June, 1950, and has not yet been submitted by the company.

(*ii*) The answer is in the negative.

(*iii*) Rs.12,718-2-3 paid as interest for loans in respect of Hooghly-Chinsura Electric concern and Rs.1,297 for Bansberia Electric concern.

(*iv*) The account does not show the names of persons or firms from whom loans were taken by the company. It is not necessary to mention the names in the account submitted.

(*v*) Under the licence, the maximum gross rate for lights and fans that the company can charge to consumers is annas eight per unit. In fact the company is charging a gross rate of six annas per unit and this rate is still unchanged. The company used to grant a rebate of one anna per unit, but this was reduced to six pies per unit from the 1st December, 1947. The rebate of one anna per unit has, however, been restored from the 1st February, 1949.

(*vi*) In view of answer to (*v*) above, this does not arise.

(*vii*) December, 1969, in respect of Hooghly-Chinsura and May, 1970, in respect of Bansberia Electric concern.

(*b*) As the licences will expire in December, 1969, and in May, 1970, the subject is premature.

East India Electric Supply and Traction Co., Chinsura.

***14. Janab MD. KHUDA BUKHSH:** (*a*) Will the Hon'ble Minister in charge of the Commerce Department be pleased to state—

(*i*) whether the Government has any information as to who are the Managing Directors of the East India Electric Supply and Traction Company, Chinsura, which supply electricity to the Hooghly-Chinsura Municipality; if so, who are they;

(*ii*) when the tenure of licence of the said firm will expire;

(*iii*) whether it is a fact that the said firm purchases electric energy from Gouripur Power House;

(*iv*) If so, the rate at which they purchase from Gouripur Power House and the rate at which they sell to the public for domestic use;

(*v*) whether in the term of licence the said firm has to supply 220-230 volts of electric current for domestic use;

(*vi*) if so, whether Government has any machinery to see that they are not supplying current below that voltage;

(*vii*) the approximate number per month of—

(1) total failure, and

(2) partial failure

of electric current from March, 1948, to February, 1949, in the said municipality;

(*viii*) whether it is a fact that the said firm have used scrap tramway lines for electric posts throughout the town;

(*ix*) whether such posts are considered safe by Government from the point of view of public safety; and

(*x*) the ratio of the price of unit electricity for domestic use within the said municipality with that within the adjacent municipalities, namely, Champdany, Serampore, etc.?

(*b*) Is the Hon'ble Minister considering the desirability of—

(*i*) not renewing the licence of the said firm; and

(*ii*) appointing Gouripur Power House or Calcutta Electric Supply Corporation, Ltd., as the suppliers of electric energy to the Hooghly-Chinsura Municipality?

Sj. ARDHENDU SEKHAR NASKAR (on behalf of the Hon'ble Nalini Ranjan Sarker): (*a*)(*i*) The East India Electric Supply and Traction Company, Ltd., have no Managing Directors. Messrs. Nurshingsahay Mudungopal are the Managing Agents of the company.

(*ii*) The first option of purchase in respect of the undertaking will be exercisable in December, 1969.

(*iii*) Yes.

(*iv*) The licensee purchases energy in bulk from Gouripur at 0·715 anna per unit. It sells energy to the public for domestic purposes for lights and fans at the rate of 5 annas per unit nett.

(*v*) No. The domestic supply is known to be at 230 volts.

(*vi*) Government have machinery for inspection of work of the licensees within the State of West Bengal. According to Indian Electricity Rules, the licensee is to declare the pressure of supply to the consumer and if the consumer has cause for grievance that the pressure of supply is not maintained within the prescribed limits he may take action against the licensee.

(*vii*)(1) Government have no official information in the matter as failure of electricity is not reportable. From information gathered it is learnt that there were five occasions of failure of supply throughout the licensed area during the period from March, 1948, to February, 1949, due to failure of supply from Gouripur.

(2) There were partial failures of supply affecting part of the licensed area on 19 occasions during the period March, 1948, to February, 1949.

(*viii*) Yes, a number of tramway rails have been used as supports for electric supply lines.

(*ix*) Government have no information that the use of tramway rails as support of electric supply lines caused danger. No danger to public safety has so far been reported.

(*x*) The ratio is 2:1 for net rates (excluding electricity duty). The present nett rate for domestic supply for lights and fans at Hooghly-Chinsura is 5 annas per unit. The nett rate for domestic supply for lights and fans in the adjacent municipalities and in other areas served by the Calcutta Electric Supply Corporation, Ltd., is 2½ annas per unit.

(*b*)(*i*) The first option of purchase of the undertaking will become exercisable in December, 1969. Government policy is to continue the licence until the expiration of the said period unless it is revoked earlier.

(*ii*) The question may be considered on the expiration of the licence or earlier if it is revoked.

Janab MD. KHUDA BUKHSH: Will the Parliamentary Secretary be pleased to state, with reference to answer (*iv*), viz., that the licensee purchases energy at 0·715 anna per unit and sells it at 5 annas, whether they consider it reasonable to charge 5 annas when the licensee actually pays less than one anna per unit?

SJ. ARDHENDU SEKHAR NASKAR: The rate is mainly dependent on the cost of transformation, storage, distribution, etc.

Janab MD. KHUDA BUKHSH: Sir, my question was, do Government consider it reasonable to charge five annas when the licensee pays less than one anna per unit?

SJ. ARDHENDU SEKHAR NASKAR: That is a matter of opinion.

Janab MD. KHUDA BUKHSH: I want Government's opinion whether Government consider it reasonable or not.

Will the Parliamentary Secretary be pleased to state what is the rate of industrial energy supplied by the company?

SJ. ARDHENDU SEKHAR NASKAR: I want notice.

Janab MD. KHUDA BUKHSH: Will the Parliamentary Secretary be pleased to state whether an expert opinion was obtained before the statement on behalf of the Government was made that the use of tramway rails as support of electric supply lines was not unsafe for the public at large?

SJ. ARDHENDU SEKHAR NASKAR: No danger to public has ever been reported.

Janab MD. KHUDA BUKHSH: Has an expert opinion been sought on the point?

(No reply.)

Sj. SIBNATH BANERJEE: Will the Parliamentary Secretary be pleased to state in view of the wide discrepancy between the cost and the amount charged from the public whether Government will consider the desirability of reducing it to a reasonable amount?

Sj. ARDHENDU SEKHAR NASKAR: I will consider that.

Janab MD. KHUDA BUKHSH: Will the Parliamentary Secretary be pleased to state why is it that the Government feel that they should allow the company to function till the expiration of the license and not take it over earlier, in view of the fact that the company buys electricity at 0·715 anna and sells it at 5 annas per unit?

Sj. ARDHENDU SEKHAR NASKAR: When Government's financial condition will improve, they will consider the matter.

Janab MD. KHUDA BUKHSH: Will the Parliamentary Secretary be pleased to state if he feels that the Government is going to be bankrupt?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is a matter of opinion.

Appointment of Srijukta Kalyani Mitra to act as Chief Inspector for Women's Education, West Bengal

***15. Sja. BINA BHOWMICK:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(১) শ্রীযুক্তা মনীষা রায়, চিফ্ ইন্সপেক্টর, নারীশিক্ষা, গত ১৬ই মার্চ্চ ১৯৫০ তারিখে অবসর গ্রহণ করিলে তাঁহার কার্য্যভার কি শ্রীযুক্তা কল্যাণী মিত্রের উপর অর্পণ করা হয়;

(২) এই কার্য্যভার কাহার উপর অর্পণ করা হইবে সে সম্বন্ধে কি গভর্ণমেন্টকে পাবলিক্ সার্ভিস কমিশনের সুপারিশ গ্রহণ করিতে হয়;

(৩) যদি (২) প্রশ্নের উত্তর "হাঁ" হয়, তবে—

(ক) গভর্ণমেন্ট এই নিয়োগ-ব্যাপারে পাবলিক্ সার্ভিস কমিশনকে জানাইয়াছিলেন কি না,

(খ) পাবলিক্ সার্ভিস কমিশন এই পদ সম্বন্ধে বিজ্ঞাপন দিয়াছিলেন কি না, এবং

(গ) পাবলিক্ সার্ভিস কমিশন কর্তৃকই শ্রীযুক্তা কল্যাণী মিত্র মনোনীত হইয়াছিলেন কি না;

(৪) (ক) শ্রীযুক্তা কল্যাণী মিত্রকে কি গত ১৬ই জুলাই, ১৯৪৯ তারিখ হইতে শ্রীযুক্তা মনীষা রায়ের Attaché রূপে নিযুক্ত করা হয়;

(খ) এই Attaché পদটি কি শ্রীযুক্তা কল্যাণী মিত্রকে এই পদে নিয়োগ করার পূর্ব্বে নূতন সৃষ্টি করা হয়;

(গ) এই Attaché পদে কাহাকেও নিয়োগ করিতে হইলে কি তাহা পাবলিক্ সার্ভিস কমিশনের সুপারিশ অনুসারে করিতে হয়;

(ঘ) যদি (গ) প্রশ্নের উত্তর "হাঁ" হয়, তাহা হইলে গভর্ণমেন্ট কি পাবলিক্ সার্ভিস কমিশনের সুপারিশ অনুসারেই শ্রীযুক্তা কল্যাণী মিত্রকে উক্ত Attaché পদে নিয়োগ করিয়াছেন;

(৫) শ্রীযুক্তা মনীষা রায়ের অবসরগ্রহণের পর তাঁহার পদে নিযুক্ত করার উদ্দেশ্যেই কি শ্রীযুক্তা কল্যাণী মিত্রকে শ্রীযুক্তা মনীষা রায়ের Attaché হিসাবে নিযুক্ত করা হয়;

(৬) (ক) শ্রীযুক্তা কল্যাণী মিত্রের educational qualifications কি কি;

(খ) শিক্ষাকার্য্যে শ্রীযুক্তা কল্যাণী মিত্রের কোনও পূর্ব্ব অভিজ্ঞতা আছে কি? থাকিলে, তাহা কি কি এবং কতদিনের;

(গ) পরিচালনাকার্য্যে (administrationএ) শ্রীযুক্তা কল্যাণী মিত্রের কোনও পূর্ব্ব অভিজ্ঞতা আছে কি? থাকিলে, তাহা কি কি এবং কতদিনের;

(৭) এই পদ পূরণের সময় এডুকেশন বিভাগের অপরাপর মহিলাদিগের অভিজ্ঞতা ও গুণাবলী সরকার বিচার করিয়াছিলেন কি না? যদি করিয়া থাকেন, তাহা হইলে সরকার তাহাদের মধ্যে কাহাকেও চিফ্ ইন্সপেক্টর পদ পূরণের উপযুক্ত মনে করেন কি না; এবং

(৮) যদি (৭) এর উত্তর "হাঁ" হয়, তবে শ্রীযুক্তা কল্যাণী মিত্রকে চিফ্ ইন্সপেক্টরের (নারীশিক্ষা) পদে নিযুক্ত করা হইল কেন?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (১) হাঁ, সাময়িকভাবে।

(২) ছয়মাস পর্য্যন্ত কোনও অস্থায়ী ব্যবস্থার জন্য রাষ্ট্রভৃত্য-নিয়োগাধিকারের সুপারিশ প্রয়োজন হয় না।

(৩) ও (৮) এ প্রশ্নগুলি উঠে না।

(৪) (ক) ও (খ) হাঁ।

(গ) ও (ঘ) মাত্র ছয়মাসের জন্য নিয়োগ সম্বন্ধে রাষ্ট্রভৃত্য-নিয়োগাধিকারের সুপারিশ প্রয়োজন হয় না।

(৫) রাষ্ট্রভৃত্য-নিয়োগাধিকারের মন্তব্যের অপেক্ষায় মিস্ মিত্রের উপর সাময়িকভাবে কার্য্যভার অর্পিত ছিল।

(৬) (ক) বিস্তৃত বিবরণ এতৎসহ সংলগ্ন করা হইল।

(খ) হাঁ, তিনি বি, টি, পড়িবার সময়ে কলিকাতা সেন্ট মার্গারেট্ স্কুলে, বীণাপাণি পর্দ্দা গার্লস্ হাই স্কুলে ও ডাফ্ স্কুলে ১ মাস শিক্ষকতাকার্য্য করিয়াছিলেন।

ওয়েষ্ট লীডস্ গ্রামার স্কুলে ৪ সপ্তাহ শিক্ষকতা করিয়াছিলেন।

লীডস্ বেলভিউ সেকেণ্ডারি মডার্ণ স্কুলে ৫ সপ্তাহ শিক্ষকতা করিয়াছিলেন।

(গ) ছয়মাস Attaché হিসাবে কার্য্য ছাড়া পরিচালনাকার্য্যে পূর্ব্ব অভিজ্ঞতা নাই।

(৭) হাঁ, Attaché পদটি পূরণের সময় বিভাগীয় অপরাপর সমপর্য্যায়ের কর্ম্মচারীদের যোগ্যতা বিচার করা হইয়াছিল; কিন্তু তন্মধ্যে মিস্ মিত্রকে তাঁহার বিশ্ব-বিদ্যালয়ের বিশেষ কৃতিত্ব, তাঁহার বিদেশে অর্জ্জিত ডিপ্লোমা ও অভিজ্ঞতা, গভর্ণমেন্ট বৃত্তিপ্রাপ্ত scholar ইত্যাদি সমস্ত বিবেচনা করিয়া তাঁহাকে যোগ্যতম বিবেচনা করা হইয়াছিল।

Statement referred to in reply to clause (৬) (ক) *of starred question No. 15*

QUALIFICATIONS AND TRAINING

a) Abroad—

Diploma in Education (Leeds University) in 1947.

M.A. in Education (Leeds University) in 1948

Went to the following countries for studying the educational systems:—
Scotland, Denmark, Sweden.

Saw the different types of educational institutions in England, Ireland, Scotland, Denmark and Sweden.

Worked with the County Council of West Riding, Yorkshire, to learn educational administration and organisation.

b) In India—

(1) Placed in the first class and stood first not only in Sanskrit, Group A, but amongst all the examinees appearing in all the subjects of the M.A. Examination of the University of Calcutta held in 1944. Obtained more than 75 per cent. of the marks in all the papers. Obtained the following medals and prizes:—

(*i*) Hemchandra Goswami Gold Medal.

(*ii*) Kamalrani Gold Medal.

(*iii*) Nakuleswar Banerjee Gold Medal.

(*iv*) University Gold Medal.

(*v*) Hemchandra Goswami prize of Rs.500 in cash.

(*vi*) University prize of Rs.200 in books.

(*vii*) Sonamani prize of Rs.35 in books.

(*viii*) Pandit Premchandra Tarkavagish Silver Medal.

(2) Stood first class second in the B.T. Examination of the University of Calcutta in 1945. Obtained 80 per cent. of the marks in the practical examination and *stood first in the practical examination.* Obtained a prize of Rs.25 in cash from Scottish Church College.

(3) Obtained letters (i.e., more than 80 per cent. marks) in Compulsory Sanskrit in the Matriculation Examination. Letters in Sanskrit, Logic and Botany and a Government Scholarship of Rs.15 in the I.A. Examination, and First Class Honours in Sanskrit and stood fourth in the B.A. Examination.

(4) Passed both the Adya and Madhya Examinations (Sahitya Group) of the Bengal Sanskrit Association in the first division and the Madhya Examination (Sahitya Group) of the Dacca Saraswat Samaja and stood first in the First Division.

(5) Proficiency in Bengali—obtained the title of Sahitya Saraswat from the Banga Sahitya Mahamondal and stood first in the Title Examination, obtained a silver medal.

Proficiency in English—obtained the Sri Gopal Chakravarty Silver Medal in English in the Matriculation Test Examination of Brahmo Girls' School.

(6) Behari Lal Mitra Research Scholar (1945-46) in Sanskrit (Rs.100 per month) of the University of Calcutta since obtaining the Degree in India.

(Sja. Bina Bhowmick rose on her legs.)

Sj. SIBNATH BANERJEE: Before that, I had raised a question for clarification. The "Public Service Commission" has been translated as "রাষ্ট্র-ভৃত্য বিষয়াধিকার"। Is this in order?

Mr. SPEAKER: You have understood the meaning.

Sj. SIBNATH BANERJEE: Are we at liberty to use any expression for the English version?

Mr. SPEAKER: That is a question of vocabulary. We will discuss it later on.

Sja. BINA BHOWMICK: অতিরিক্ত প্রশ্ন, মাননীয় মন্ত্রীমহাশয় যে বলেছেন—তিনি বি,টি, পড়িবার সময়ে কলিকাতা সেন্ট মার্গারেট স্কুলে, বীণাপাণি পর্দ্দা গার্লস্ স্কুলে ও ডাফ্ স্কুলে ১ মাস শিক্ষকতা কার্য্য করে ছিলেন,—মাননীয় মন্ত্রীমহাশয় কি জানেন, যে বি,টি, পড়বার পরেও ১ মাস বিশ্ববিদ্যালয়ে শিক্ষকতার কাজ করা অবশ্য কর্ত্তব্য?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: অভিজ্ঞতা অর্জনের জন্য শিক্ষকতা করতে হয়।

Sja. BINA BHOWMICK: হাঁ, কাজেই এটা পরীক্ষার একটা অঙ্গ এবং যে কেউ বি,টি, পরীক্ষা দেয়, তাকেই practical training হিসাবে এই শিক্ষকতা করতে হয়।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: হাঁ, পরীক্ষা পাশ করবার জন্য এই অভিজ্ঞতার প্রয়োজন।

Sja. BINA BHOWMICK: অতিরিক্ত প্রশ্ন, ৭এর প্রশ্নের উত্তরে বলা হয়েছে মিস্ মিত্রের বিশ্ববিদ্যালয়ের বিশেষ কৃতিত্ব, তাঁর বিদেশে অর্জিত ডিপ্লোমা ও অভিজ্ঞতা, গভর্ণমেণ্ট বৃত্তিপ্রাপ্ত scholar ইত্যাদি সমস্ত বিবেচনা করে তাঁকে যোগ্যতম বিবেচনা করা হয়েছিল—মাননীয় মন্ত্রীমহাশয় মনে করেন না কি যে নারীশিক্ষা চিফ্ ইন্সপেক্টরের পদে কেবলমাত্র বিশ্ববিদ্যালয়ের কৃতিত্বই যথেষ্ট নয়, তাঁর সঙ্গে অন্যান্য বিশেষ অভিজ্ঞতারও প্রয়োজন।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: বিশেষ অভিজ্ঞতার প্রয়োজন বলেই তাঁকে ছয় মাসের জন্য Attaché পদে নিযুক্ত করা হয়েছিল।

Sja. BINA BHOWMICK: কিন্তু, এই Attaché হিসাবে কার্য্য করাই কি যথেষ্ট মনে করেন? এইস্থলে কি বিশেষ পূর্ব্ব অভিজ্ঞতার প্রয়োজন নেই?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: চিফ্ ইন্সপেক্টরের পদে শিক্ষকতার অভিজ্ঞতার চেয়ে administrationএ অর্থাৎ শিক্ষা পরিচালনার কার্য্যে দক্ষতার বেশী প্রয়োজন।

Sja. BINA BHOWMICK: মাননীয় মন্ত্রীমহাশয় কি জানেন যে এই শিক্ষা বিভাগে শ্রীযুক্তা মিত্রের মত উপযুক্ত qualificationসম্পন্ন অথবা বহুগুণ অভিজ্ঞতাসম্পন্ন অনেক প্রার্থী আছে?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: এটাত মতের কথা।

Sja. BINA BHOWMICK: আপনি জানেন কিনা?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: আমি যতদূর জানি সব কিছু বিবেচনা করে তাঁকেই সর্ব্বাপেক্ষা যোগ্যতম মনে করা হয়েছিল।

Sja. BINA BHOWMICK: অতিরিক্ত প্রশ্ন, দ্বিতীয় প্রশ্নে মাননীয় মন্ত্রীমহাশয় বলেছেন পাবলিক সার্ভিস কমিশনের সুপারিশ ছয় মাস পর্য্যন্ত কোনও অস্থায়ী ব্যবস্থার জন্য প্রয়োজন হয় না—সুতরাং এই ছয় মাস পর্য্যন্ত অস্থায়ী ব্যবস্থা নিজেরাই কি এইভাবে manage করেন?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: প্রয়োজন অনুসারে করা হয়।

Sja. BINA BHOWMICK: এখানে কি কোন প্রয়োজন বোধ করা হয়নি?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: প্রয়োজন বোধ করেইত ছয় মাসের জন্য নেওয়া হয়েছিল।

Sja. BINA BHOWMICK : এটা পাবলিক সার্ভিসে refer করা কি প্রয়োজন মনে করেন না?

The Hon'ble Rai HARENDRA NATH CHAUDHURI : আমরা ছয় মাস পর্য্যন্ত রাখতে পারি বলেই পাবলিক সার্ভিসে refer করার প্রয়োজন মনে করি নাই।

Sj. KANAI LAL DE : মাননীয় মন্ত্রীমহাশয় জানাবেন কি—এই ছয় মাস গত হবার পর তাঁকে চাকরীতে পাকা করা হয়েছে?

The Hon'ble Rai HARENDRA NATH CHAUDHURI : না, এই পদের জন্য পুনরায় বিজ্ঞাপন দেওয়ার জন্য পাবলিক সার্ভিস কমিশনে জানান হয়েছে।

Sj. KANAI LAL DE : মাননীয় মন্ত্রীমহাশয় জানাবেন কি, পাবলিক সার্ভিসের কাছে তাঁকেও কি আবার apply করতে হবে?

The Hon'ble Rai HARENDRA NATH CHAUDHURI : হাঁ, তিনি পাবলিক সার্ভিস কমিশনে apply করতে পারেন।

Money deposited by tenants in the Rent Control Offices of Calcutta and its suburbs

***16. Sj. BEPIN BEHARI GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Land and Land Revenue Department be pleased to state whether it is a fact that large sums of money deposited by the tenants of Calcutta and its suburbs are being held in suspense by the Rent Controller?

(*b*) If the answer to (*a*) be in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the reasons thereof; and

(*ii*) the amount so held up till the 31st December, 1949?

(*c*) Is it a fact that a huge amount is being held in suspense due to lapses on the part of the Office of the Rent Controller and of the Postal system?

(*d*) If so, what steps does the Hon'ble Minister propose to take in the matter?

(*e*) Will the Hon'ble Minister be pleased to state whether he is considering the desirability of introducing the special money order form for the purpose?

The Hon'ble Rai HARENDRA NATH CHAUDHURI (on behalf of the Hon'ble Bimal Chandra Sinha, Minister-in-charge of Land and Land Revenue Department): (*a*) It is not a fact that the rent deposited by the tenants have been held in suspense account but it is a fact that large sums of deposited rent are pending withdrawal from the Rent Control Courts.

(*b*) (*i*) The large accumulation of rent deposits is mainly due to heavy deposits made by tenants, comparatively small number of withdrawal applications filed by landlords and large number of money orders refused by landlords or returned undelivered.

(*ii*) No amount is held in suspense account. The total amount of rent held in deposit and pending withdrawal by landlords on the 31st December, 1949, stood as follows:—

(1) Calcutta Rent Control Office—Rs.42,18,821 (including Rs.23,43,74.5 on account of old deposits under Calcutta Rent Control Ordinance, 1946).

(2) Howrah Sadar Rent Court—Rs.5,04,018-10.

(3) Alipore Rent Court—Rs.82,268-3 (24-Parganas Sadar).

(*c*) No.

(*d*) Does not arise.

(*e*) As the old practice of remittance of deposited rent by money order to landlords was, after due consideration, discontinued under the present West Bengal Rent Control (Temporary Provisions) Act, 1950, the question of introduction of any special money order form for the purpose cannot arise.

Sj. BIMAL COMAR GHOSE: With reference to answer (*b*)(*i*), will the Hon'ble Minister be pleased to state if he has any statistics here of the total amount in respect of which applications were received from landlords for withdrawal of money and the total amount in respect of which money orders were refused by the landlords concerned.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I would ask for notice.

Sj. SIBNATH BANERJEE: মাননীয় মন্ত্রীমহাশয় অবগত আছেন কি West Bengal Rent Control Act অনুসারে ঐটা বন্ধ করে দেওয়া হবে—

Sj. BIMAL COMAR GHOSE: On a point of order, Sir. Of course, the Hon'ble Minister is always justified in asking for notice, but what I wanted your ruling on is this, whether the supplementary that I asked was not relevant and whether the Hon'ble Minister should not have information on that point because in the answer he states about the small number of withdrawals and the large number of money orders that were refused.

Mr. SPEAKER: You wanted the number of applications——

Sj. BIMAL COMAR GHOSE: About the total amount in respect of which applications were made for withdrawal of money and the total amount for which money orders were refused by the landlords.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: He asks for actual figures of amounts. How can that be given offhand?

Sj. BIMAL COMAR GHOSE: The number of applications that were made for withdrawal and the number of money orders that were refused by landlords.

Mr. SPEAKER: This question does arise out of this question no doubt, but if the Hon'ble Minister does not possess those figures, certainly he can ask for notice.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I have asked for notice only to supply figures. Figures cannot be given offhand.

Sj. SIBNATH BANERJEE: মাননীয় মন্ত্রীমহাশয় বলেছেন ঐরকমভাবে money order পাঠান—the question of introduction of any special money order form for the purpose cannot arise—কারণ West Bengal Rent Control Act, 1950তে এটা decide হয়েছে। মাননীয় মন্ত্রীমহাশয় অবগত আছেন কি, এই সেসানে এই বিল recast করবার জন্য এসেছে এবং সেইজন্য এই consideration উঠতে পারে না? তাঁর কোন opinion থাকলে সেটা তিনি দিতে পারতেন।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, the amending Bill that is now going to be brought forward does not at all relate to this point. So far as this question is concerned, viz., why money orders have been discontinued, well Sir, this has been done in accordance with the recommendation of the Rent Control Advisory Committee.

Sj. SIBNATH BANERJEE: Supplementary question, Sir. Advisory committee সেই Actকে modify করে দিয়েছেন, আবার এই জিনিষটা আপনারা আমাদের সামনে আনছেন এই amended Bill formএ এবং তাহাতে আপনারা কয়েকটী original Actএর amendment এনেছেন, আমরা ওতে কয়েকটা amendment আনতে পারতাম। সেটা rule out করছেন কেন?

Mr. SPEAKER: Mr. Banerjee, that question does not arise. The question was about the introduction of special money order, and the answer was that under the law, as it was prevailing, sending money by money order was discontinued, and therefore this question does not arise. Now whether under the provisions of the new Act money order should be restored or not is another question. You can discuss it at the time when the Rent Control Act is taken up.'

Sj. SIBNATH BANERJEE: মাননীয় স্পীকারমহোদয়, আমার বক্তব্য হচ্ছে যে আইন force করে না, বাধাও দেয় না।

It does not prevent him from sending by money order if it is desirable and if he is so asked.

Ejectment suits instituted in the Rent Controller's Court, Calcutta

***17. Sj. BEPIN BEHARI GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Land and Land Revenue Department be pleased to state—

(*i*) the number of ejectment suits instituted in the Rent Controller's Court, Calcutta;

(*ii*) the number of suits decreed for possession by Rent Controller against the refugee tenants, sub-tenants and under-tenants in the said court; and

(*iii*) whether Government consider the desirability of taking immediate steps to stay such ejectment decrees and to stop any further execution for eviction of such tenants for a period of two years in view of influx of refugees from Eastern Pakistan?

(*b*) Will the Hon'ble Minister be pleased to state if it is a fact—

(*i*) that the Inspectors of the Rent Controller, Calcutta, perform local inspection work on taxis; and

(*ii*) that the taxi hire charges are borne by tenants?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to consider the desirability of putting a stop to levy such charges on tenants?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: (*a*)(*i*) The Rent Control Courts are not empowered to deal with ejectment suits.

(*ii*), (*iii*) and (*c*) Do not arise.

(b)(i) Yes, in special cases where necessary.

(ii) Government have no such information.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to state whether Government would be pleased to consider the desirability of vesting Rent Controllers with authority to try ejectment suits?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: No, other courts have jurisdiction over the matter.

Sj. SIBNATH BANERJEE: এই যে (iii)তে বলছে, "whether Government consider the desirability of taking immediate steps to stay such ejectment, decrees, etc." তার উত্তরে তিনি বলছেন, "Do not arise". আমি জানতে চাই যে ejectment বন্ধ করবার কোন পরিকল্পনা আছে কি? Courtএ আছে তা আমরা জানি। কিন্তু Government যেমন একবার Ordinance করে বন্ধ করেছিল সেইরূপভাবে এই ejectment বন্ধ করবার জন্য তাদের কোন পরিকল্পনা আছে কিনা?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Mr. Sibnath Banerjee, as an old member, ought to know that there is a provision in the Rent Control Act, section 18, which deals with ejectment decrees, and he is also aware that a further proposal has been brought forward to amend section 18 of the Rent Control Act, 1950.

UNSTARRED QUESTION

(answer to which was laid on the table)

Establishment of a municipality at Alipur Duars, Jalpaiguri

3. Sj. JAJNESWAR ROY: (১) স্বায়ত্তশাসন বিভাগের ভারপ্রাপ্ত মন্ত্রীমহোদয় অনুগ্রহ পূর্ব্বক জানাইবেন কি—

(ক) জলপাইগুড়ি জেলার আলিপুর দুয়ারে বঙ্গবিভাগের পর পূর্ব্ববঙ্গ হইতে বহু আশ্রয়প্রার্থী আসায় সহরের লোকসংখ্যা বৃদ্ধি পাইয়াছে কি না; এবং

(খ) সহরের স্বাস্থ্যরক্ষার ব্যবস্থা করার জন্য আলিপুর দুয়ারে কোন পৌরপ্রতিষ্ঠান না থাকায় সহরের স্বাস্থ্যের দিন দিন অবনতি হইতেছে কি না?

(২) যদি (১) (খ) প্রশ্নের উত্তর "হাঁ" হয়, তবে মন্ত্রীমহোদয় অনুগ্রহপূর্ব্বক জানাইবেন কি—

(ক) স্থানীয় জনসাধারণ পৌরপ্রতিষ্ঠান স্থাপনের জন্য আবেদন করা সত্ত্বেও সরকার পৌরপ্রতিষ্ঠান স্থাপনের ব্যবস্থা কেন করেন নাই; এবং

(খ) সত্বর পৌরপ্রতিষ্ঠান স্থাপনের কথা সরকার বিবেচনা করিবেন কি না?

MINISTER in charge of the LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Jadabendra Nath Panja): (১) (ক) হাঁ।

(খ) আলিপুর দুয়ারে একটি ইউনিয়ন কমিটি আছে। কোনও পৌরসংঘ না থাকায় আলিপুর দুয়ারের স্বাস্থ্যের দিন দিন অবনতি হইতেছে এ সংবাদ সরকার অবগত নহেন।

(২) (ক) ও (খ) এই প্রশ্নগুলি উঠে না।

Sj. KHAGENDRA NATH DAS GUPTA: Supplementary question, Sir, মাননীয় মন্ত্রীমহাশয় বলবেন কি যে আলীপুর দুয়ারের জনসাধারণ সেখানে একটা মিউনিসিপ্যালিটি করবার জন্য আবেদন করেছে কি?

The Hon'ble JADABENDRA NATH PANJA: হাঁ, আবেদন করেছে।

It is under the consideration of the Government.

Sj. KHAGENDRA NATH DAS GUPTA: কতদিন যাবৎ এই আবেদন মাননীয় মন্ত্রীমহাশয়ের কাছে আছে?

The Hon'ble JADABENDRA NATH PANJA: (No reply.)

Supplementary Estimate for 1950-51.

Sj. SIBNATH BANERJEE: On a point of order, Sir, আমি একটা বৈধতার প্রশ্ন তুলছি। সরকার অবৈধ কাজ করছেন সেটাই আমি বলছি। এই যে Sepplementary Estimate place করা হয়েছে সেটা একেবারেই অবৈধ। Durell সাহেবের বইএ ৪৭।৪৮ পাতায় আছে যে—

DURELL: "Supplementary estimate, when treated as customary and as a matter of course, instead of being restricted to occasions of unforeseen contingencies, do more to destroy effective parliamentary control than any other indirect method that could be devised."

এইবার May's Parliamentary Practiceএ যা আছে তা বলছি (MINISTERIAL BENCH : ওরে বাবা!)

Sj. SIBNATH BANERJEE: এটম্ বম্ব দেখে ওরা ভয় পাচ্ছেন—ভয় পাওয়ারই কথা।

The Hon'ble KALIPADA MOOKERJI: এটম্ বম্ব নয় ওগুলি হচ্ছে পটকা।

Sj. SIBNATH BANERJEE: পটকার ভয়েইত আপনারা কলকাতা সহরে ১৪৪ ধারা জারী করে রাখেন। যাই হোক

MAY'S PARLIAMENTARY PRACTICE, PAGE 678এ বলছে—

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A supplementary estimate may be presented either for a further grant to an existing service or in addition to a sum already demanded for the current financial year or for a grant caused by a fresh occasion for expenditure that has arisen since the presentation of the supplementary estimate such as expenditure on behalf of a service newly imposed by the Executive Government by statute or to meet the cost created by an unexpected emergency."

এইটা যা পড়া গেল এইটাই sufficient to show যে Supplementary Estimate আপনারা আমাদের সামনে হাজির করেছেন, এটা একেবারেই অবৈধ, কেননা এর মধ্যে অনেক item রয়েছে যা অনেক দিন থেকেই আপনাদের জানা ছিল। অথচ গত বাজেটের সময় তারা আনেন নাই। এইবার back door দিয়ে আনবার চেষ্টা করছেন, সেটা অবৈধ। বাজেট Sessionএ বাজেটের General discussion হয়, তারপর প্রত্যেক itemএর উপর Cut Motion আনা হয়, এইরকমভাবে এক মাস ধরে বাজেট আলোচনা হয়, তারপর বাজেট pass হয়। সেবার বাজেটের মধ্যে দিয়ে তারা ৩২ কোটি টাকা নিয়েছেন। আপনাদের ভোট আছে তা জানি এবং এটাও নেবেন, কিন্তু সেটা একটা Parliamentary Procedure follow করে নিয়েছিলেন। এবার ফাণ্ড হিসাবে ৪ কোটি টাকা চাচ্ছেন। এটার মধ্যে itemএ আছে যেমন Land Revenue, Development Programme এইগুলি publish করবার জন্য টাকা চেয়েছেন। এইগুলি বাজেট Sessionএ বললেই ঠিক হোত। যাদের এতখানি অদূরদর্শিতা তাদের এখানে বসা উচিত নয়। তাদের resign করা উচিত। এইরকম বহু item আছে যা আগে থেকেই foreseen.

দার্জিলিংএর land slide সেটা unforeseen, তার জন্য sanction চাওয়াটা বৈধ। কোরিয়ার (Korean) Warএর জন্য সমস্ত জিনিষের দাম বেড়েছে সেজন্য dearness allowance চাইলে সেটা বৈধ হত কিন্তু সেটা তারা করবেন না। Writers' Buildingএর চাপরাসী বা Government Houseএর চাপরাসীরা মাত্র ৫০৲ টাকা মাইনে পায়, তাদের মাইনে বাড়িয়ে দেওয়ার কথা তাদের মনে আসে না। তারপর এই Houseএর জন্য Speakerএর অধিকার নাই কারও মাইনে বাড়িয়ে দেবার। Dearness allowance বাড়াবার অধিকার Finance মন্ত্রীমহাশয় তার হাতের মধ্যে রেখেছেন এবং Speaker মহোদয়ের অধিকার ক্ষুন্ন করেছেন। অথচ যেটা unforeseen সেটা সম্বন্ধে তারা কিছুই করে নাই। যেমন refugee সম্বন্ধে। এই unforeseen ঘটনার জন্য যদি extra expenditure হত বুঝতাম কিন্তু তা হয় নাই। যে সব item তারা এখানে এনেছেন তার সবগুলিই আগেই foresee করা যেতে পারতো। সুতরাং এইগুলি আজকে Supplementary বাজেটে আসতে পারে না। এইগুলি thoroughly recast করা দরকার। এই সঙ্গে সঙ্গে আর যে সমস্ত minature--ছোট ছোট item আছে—তা বোঝবার সাধ্য নাই। বাজেট discussionএর সময় মন্ত্রীমহোদয়ের বাজেট বক্তৃতার মধ্যে দিয়ে আমরা জানতে পারি যে কার জন্য কি করা হচ্ছে। কিন্তু এই Supplementary বাজেটের itemএ কি আছে সেটা Houseএর পক্ষে অবধান করা কঠিন। বাজেট বক্তৃতার মত কোন ছাপান copy আমরা পাই না। কোন itemএর কি justification আছে তার idea করা যায় না। খবরের কাগজে সেসব ছাপা হয় না বা খুব অল্পই ছাপা হয় এটা আমাদের দুর্ভাগ্য। এই টাকা কিসের জন্য দরকার সেটা বলা দরকার। এইজন্য আমি এই বাজেটকে অবৈধ বলে ঘোষণা করছি। আপনারা ভোটের জোরে এটা pass করতে পারেন কিন্তু সেভাবে pass করাটা অবৈধ হবে।

Mr. SPEAKER: Is this your point of order?

Sj. SIBNATH BANERJEE: Yes. My point of order is that this supplementary estimates are out of order. I have also made some suggestions for the benefit of incompetent Government members.

আমি suggest করছি কি করে এটা বৈধ হতে পারে। অবৈধ জিনিষ এখান থেকে pass করা যায় না। চুয়াল্লিসটা ভোটের জোরেই সব কিছু বৈধ হয় না। তাই আমি এই সব suggest করছি। কারণ Oppositionএর কাছ থেকেই আপনারা কিছু শিখতে পারেন।

Janab MD. KHUDA BUKHSH: I wish to speak on the point of order raised by my friend and I rise to support his point of order. Sir, the difference between the budget estimates presented to this House before the budget session and this one is essentially this. This is very important, Sir. When the original budget is presented Government give the House certain proposals and Government wants, with the approval of the House, to spend the money as sanctioned. But now they have already spent the money and having spent the money they want us to authorise all their deeds and misdeeds. That is not correct. Even if they want to place supplementary estimates with regard to expenditure that Government did not know about beforehand, we would be prepared to sanction all the moneys required under different heads but Government must come to the House before spending that money.

Mr. SPEAKER: With regard to this point of order I may say that when Government wants to spend the money they have the right to come before the House with their supplementary estimates. You can either accept it or reject it.

Janab MD. KHUDA BUKHSH: But Government is coming before the House after having squandered away the money as they liked.

Mr. SPEAKER: But then you can refuse the supply. It is for you to give the money or not to give the money, whatever you like.

Sj. SIBNATH BANERJEE: I bow down to your ruling, Sir. I have quoted Durell and May. এই সম্বন্ধে আমি যে clarification দিয়েছি, সেটাই sufficient, তবে আপনারা vote down করতে পারেন কিন্তু Supplementary বাজেটে এই জিনিষ আসতে পারে না। যে যে argument দিয়েছি তা আপনাদের সামনেই আছে। আমি May'র বই থেকে quote করেছি তাতে আমার মনে হয় যে আমার বক্তব্য fully justified.

Mr. SPEAKER: Now the general discussion starts.

General Discussion of the Supplementary Estimate.

Sj. CHARU CHANDRA BHANDARI: মাননীয় স্পীকার মহোদয়, বাস্তুহারাদের পুনর্বসতি সম্পর্কে আমি কিছু বলতে চাই। এর পূর্ব দিন, যখন রাজ্যপাল মহাশয়ের ভাষণ সম্পর্কে আলোচনা হয়েছিল, আমি তখন পশ্চিমবঙ্গের যারা মুসলমান বাস্তুহারা, তাদের পুনর্বাসন সম্পর্কে বলেছিলাম। এখানকার মুসলমান বাস্তুহারা, যারা নাকি পূর্বপাকিস্থান থেকে ফিরে এসেছে, তাদের পুনর্বসতি সম্পর্কে অনেক difficulty আছে, তা সত্য, আমার মনে হয়, সব চেয়ে প্রধান difficulty হচ্ছে এইটে, যারা ফিরে এসেছে, তাদের বাস্তু, ঘর এবং জায়গা, জমি, এখানে হিন্দু বাস্তুহারারা যা দখল করে আছে, সেগুলি ফিরে পাবার প্রশ্ন সম্পর্কে। এ বিষয়ে একটা গোলমাল দেখতে পাচ্ছি. legal difficulty যেটাকে বলা হয়েছে, সেটা হচ্ছে এই যে, কোন বাস্তুত্যাগীর ঘরে, যদি খালি থাকা অবস্থায় কেউ ঢুকে যায়, তাহলে তাকে trespass বলা যায় না এবং তাকে আইনতঃ অপসরণ করা যায় না। কিছুদিন তাদের অপসরণ করা হয়েছিল, কিন্তু পরে দেখা গেল এটা বে-আইনী কাজ হয়। সেজন্য এখানে তাদের পুনর্বাসন কাজ থেমে রইল। তখন বলা হল যে আদালতের সাহায্যে এ জিনিষটা করা হবে, আদালতে এ সম্পর্কে case করায়, সেখান থেকে Magistrate বলে দিলেন, এইরকম ঘর যদি কেউ দখল করে, তাহলে সেটা trespass হয় না। যদি তাই হয় এবং এই কারণে পুনর্বসতি না হয়, তাহলে এই legal difficulty দূর করবার জন্য একটা আইন করা উচিত। এবং আমরা শুনেছিলাম এবং শুনে সন্তুষ্ট হয়েছিলাম--এই Sessionএই একটা বিল আনা হবে। কিন্তু আজ ৩রা তারিখ হয়ে গেল, এখনও পর্যন্ত সে বিল, পরিষদের সামনে এল না। আমরা শুনছি যে তথাকথিত কি একটা অসুবিধা আছে এবং সে অসুবিধাটা হচ্ছে এই যে, দিল্লী চুক্তি অনুসারে এই ব্যাপারে আমরা যা করছি পূর্ববঙ্গের গভর্ণমেণ্ট সেটুকু করতে রাজী নন। যে provision আমরা করতে যাচ্ছি, আমাদের Government করতে যাচ্ছেন, সেটা তারা করতে রাজী নন। এইজন্যেই হয়ত বিলটা এই পরিষদের সামনে আসছে না। এই সম্পর্কে আমার বক্তব্য এই যে, পূর্ববঙ্গ Government কিছু করুক বা না করুক, যেটুকু আমরা পশ্চিমবঙ্গ থেকে বাস্তুহারার জন্য করা উচিত বলে বিবেচনা করবো, সেটুকু আমরা অন্যের কাজের অপেক্ষা না করে, করে যাবো। এবং আমার মতে, আমাদের সেটুকুই করা উচিত। আমাদের কংগ্রেসের নাসিক অধিবেশনে আমরা যে প্রস্তাব গ্রহণ করেছি সে প্রস্তাবটাকে রূপদান করা উচিত বলে যদি আপনারা মনে করেন, তাহলে পূর্ববঙ্গ কি করবে না করবে, তার অপেক্ষা না করে, সেইসব বাস্তুহারাদের জমি-জায়গা ঘর-বাড়ী যা অপহৃত হয়েছে, সেগুলি যাতে অন্যের দ্বারা ভোগদখল না হতে পারে, তার ব্যবস্থা অবলম্বন করা উচিত। এখানে এই নিয়ে যদি কোন একটা agreement হয়, সেটাও আমাদের করা উচিত। Let us do our part of the duty. এটুকু আমাদের করা উচিত। অবশ্য আমরা যদি না করি এবং সেটা না করারও একটা justification আছে যে পূর্ববঙ্গ Government কিছুই করছে না, তখন আমরা এক তরফা করবো কেন--এই justification থাকবে বটে--কিন্তু তাহলে আমাদের মুসলমান বাস্তুহারাদের প্রতি সুবিচার করা হবে না, এই আমার বক্তব্য। অধিকন্তু পূর্ববঙ্গ কিছু করুক বা না করুক, আমাদের বিবেচনা ও নীতি অনুসারে আমাদের কাজ করা উচিত। আমাদের Governmentএর যে নীতি দ্বারা পরিচালিত হবার কথা, সে নীতি দ্বারা আমাদের পরিচালিত হতে হবে। পূর্ব পাকিস্থানের ওপর না রেখে আমরা যদি আমাদের নীতি অনুসারে চলি, তাহলে জগতের সামনে যে শুধু দেখাতে পারব তাই নয়, আমাদের কংগ্রেসের গৃহীত নীতিটাকেও রূপায়িত করতে পারব। সুতরাং আইনের difficulty যা আছে, সেটাকে দূর করবার জন্য এই Sessionএই যেন একটা বিল আনা হয়। সরকারের কাছে আমার বিশেষ নিবেদন, এইটে যেন করা হয়।

দ্বিতীয় কথা হচ্ছে এই যে, সেদিন আমি আলোচনা প্রসঙ্গে ধানের দাম সম্বন্ধে প্রশ্ন তুলেছিলাম, খাদ্যমন্ত্রী-মহাশয় বলেছিলেন যে সেটা বাড়ান খুব যুক্তিযুক্ত হবে না। এবং না বাড়ালেও জনসাধারণের অসুবিধা হবে না,

কারণ তারা ধান সংগ্রহ করে, মাত্র যারা জমি ভাগে দেয় এমন জোতদারদের কাছ থেকে। আমার মতে এই কারণটাই ধানের দাম না বাড়ানোর পক্ষে যুক্তিসঙ্গত নয়। একথাটা ঠিক নয় যে, ধান যে ওরা সংগ্রহ করে, তা শুধু ভাগ যারা দেয়, তাদেরই কাছ থেকে। আজকে আমি এসেছি একটা মফঃস্বল অঞ্চল থেকে। সেটা ২৪-পরগণারই অন্তর্গত। সেখানে যা দেখে এলাম, তাতে খাদ্যমন্ত্রীমহাশয় যা বলেছেন, তার সঙ্গে কোন মিল নাই। তাঁর মনেই হয়ত এই জিনিষটা রয়েছে কিন্তু কার্য্যক্ষেত্রে হচ্ছে কি--যে ধান procurement করা হচ্ছে, সেটা যাদের পাঁচ বিঘা জমি আছে, ঘরে ৫ মণ ১০ মণ পর্য্যন্তই যার আছে, তারও ঘরে ঢুকে সমস্ত নিয়ে যাওয়া হচ্ছে। তিনি যদি ইচ্ছা করেন, আমি তাকে নিয়ে গিয়ে, সে অঞ্চলে দেখিয়ে আনতে পারি। সেখানে একথা বলা হচ্ছে ধান যার যা আছে সব নিয়ে নিতে হবে। এবং জোতদারের বাড়ী হতে যেভাবে নেওয়া হচ্ছে, তাতে যদি ২০০ মণ কারও থাকে, সেই ২০০ মণই নেওয়া হচ্ছে। পরিষদের সকলেই জানেন ছায়রও হারবার অঞ্চলে শুধু আমন ধানই হয়, আউস হয় না। সেখান থেকেও December পর্য্যন্ত ফসল উঠবার সময় পর্য্যন্ত তাদের খাবার ধান না রেখে সব নেওয়া হচ্ছে। জোতদারদের বলা হচ্ছে এখন আমরা নিয়ে যাচ্ছি, তোমরা বেশী দাম দিয়ে কিনে খাও। এমন দুই একজনের ধানও নেওয়া হচ্ছে, দেখে এলাম, যাদের নিজেদের ধান নেই, ধান তারা কিনে এনে ব্যবসা করতো, তা থেকে নিজেরা খায় এবং বিক্রয় করে কিছু লাভ করে সংসারও চালায়, সেই রকমের দু'চারজনের কাছ থেকেও ধান নেওয়া হচ্ছে। এবং যে officer এইরকম করে নিচ্ছে তার নাম হচ্ছে Sudhir Kumer Bose. মন্ত্রীমহাশয়কে বল্লাম, এটা যেন তিনি তদন্ত করে দেখেন; কিন্তু এর সম্বন্ধে আমার একটা কথা বলবার আছে, ইংরেজের আমলে যদি কোন police officerএর অত্যাচারের কথা উপরওয়ালাকে বলা হতো তার মাইনে বাড়িয়ে দেওয়া হতো। অত্যাচারী নায়েবের কথা যদি জমিদারকে বলা হয়, তাহলে সে নায়েবের ম্যানেজারী লাভ হয়। আমি যে বল্লাম সেজন্য যেন সুধীর বসুর পদোন্নতি অনুগ্রহ করে না করেন, মন্ত্রীমহাশয়কে অনুরোধ করছি। আমি যে বলছি, তার কারণ আমিও অনুগত-রূপে কার্য্য করি এবং যাতে গভর্ণমেণ্টের ধান ভালভাবে procure হয়, সে চেষ্টা করি। এজন্য আমি যা বলছি, আন্তরিকভাবে বলছি, ওটা শুধু মুখের কথাই নয়। লোকের যাতে সুবিধা হয়, দরিদ্রদের কষ্ট না হয়, এবং জনসাধারণের মন আনন্দপূর্ণ হয়, গভর্ণমেণ্টের policy সেই রকমই হওয়া উচিত। সহরের জনসাধারণকে খাওয়াবার জন্য গ্রামের জনসাধারণের উপর যদি অত্যাচার হয়——

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order. The honourable member mentioned the name of a particular officer who had no means of being present in this House and answer the allegations made by the honourable member. The honourable member is certainly entitled to make his submissions before this House and criticise the Hon'ble Minister who would answer. If the honourable member had any responsible allegations to make he could have made them to the Hon'ble Minister in charge and to the Government in order to bring that person to explain his position or to defend himself. It is improper that the honourable member should take advantage of the privileges of this House in order to malign persons who cannot answer the charges. It is most improper and I think parliamentary decency requires that every member should beware of such impropriety. If the honourable member really is in possession of any facts on which he can impeach any officer, by all means let him do so by making some statements publicly outside this House or by bringing forward his case and complaints before Government and every step would be taken to redress his grievance. I therefore suggest that you should consider whether that part of the speech should not be expunged from the proceedings as an irresponsible utterance which should never have been made.

Mr. SPEAKER: As a matter of fact the proper course is not to name the officer concerned, rather the designation may be used. Of course there is no such hard and fast rule that in no case whatsoever an officer's name may be mentioned—we have not got any such rule—but it has always been thought desirable not to mention the names and this sort of allegation should not be indulged in. It is in fairness to the officers of our Government that we should not make allegations against them because they have

no right to refute those allegations. That should always be kept in view. Moreover, there is one thing more which I wish to say. This is not a general discussion on the entire policy of the Government as we generally do during the budget session. Honourable members will realise that these demands have been brought forward before this House and they should be voted specificaly upon these items and members should restrict themselves to them, and if there be any general discussion that should be more or less relevant to the demands which are being put before this House and then only we would be able to control the debate within lines which are necessary for us to do.

Sj. SIBNATH BANERJEE: মাননীয় স্পীকার মহোদয়, যে আপত্তিটা তোলা হয়েছে, এ সম্বন্ধে একটা difficultyর কথা নিবেদন করছি। আমিও সেদিন বলেছি কোনও একজন commandant সম্বন্ধে, কিন্তু নাম করি নাই। আমরা যখন কোন particular caseএর বিষয় উল্লেখ করে complain করি, তখন বলি অমুক জায়গার District Magistrate, অমুক জায়গার S.D.O., অমুক থানার দারোগা ইত্যাদি; এতে নাম উল্লেখ করে বলায় বা না বলায় বিশেষ কোন তফাৎ দেখি না। এতে difference যা, সে শুধু tweedledum and tweedledee যেটুকু তফাৎ মাত্র তাই। এ সম্বন্ধে parliamentary অভিজ্ঞতা যা গত ১৪ বছরে হয়েছে, তা থেকে বলতে পারি, বিচার বিভাগীয় মন্ত্রীমহাশয়, অতটা জোরে আপত্তি না করিলেই পারতেন, কারণ এ সম্বন্ধে কোন hard and fast rule থাকতে পারে না। সেজন্য এসব বিষয়ে এত touchee হবার দরকার নাই।

The Hon'ble Dr. BIDHAN CHANDRA ROY: What is he talking about?

Sj. SIBNATH BANERJEE: I am making submission.

Mr. SPEAKER: I have said all that I had to say. Now I find that you are going to comment.

Sj. SIBNATH BANERJEE: I am not commenting, Sir. I am only showing our difficulties. If we have to function in this House we have to mention all this.

Mr. SPEAKER: Mr. Banerjee, I see you are commenting like Mallinath.

Sj. SIBNATH BANERJEE: Not Mallinath, Sir, but like Koutilya (laughter).

Mr. SPEAKER: Now Mr. Sheo Kumar Rai will speak.

Sj. SHEOKUMAR RAI: Mr. Speaker, Sir, subsay pahley apko main yeh araz kurta hoon. Pahley bhi main ney araz kiya tha ke yehan per koie Hindi Stenographer naheen hai. Aj Hindi hamari Rastrabhasha hai aur Bengal subbishai men agun perdesh tha, parantu yehan per bhi koie Hindi Stenographer naheen hai.

Mr. SPEAKER: Well, Mr. Rai, I can tell you that there is a Hindi Reporter.

Sj. SHEOKUMAR RAI: Ab yeh general discussion men yeh kahna hai ke hum Darjeeling paranth say aey hain aur waham ka dukh takleef jo hai, aj hum Maha-Mantri aur Mantri Mandal ke agey pesh kertey hain. Pahli bat yeh hai ke Darjeeling ke rahneywaley koie khatarnak januwar naheen hain, wah bhi adhui hain. Jis tarap say Bengal men aplog rahtey hain, khatey hain, baithtey hain, usitarap say waham ke log bhi rahtey hain, khatey hain baithtey hain, parantu hum dekhtey hain ke Government ka ka sandheo wahan key logon per hamasha rahti hai, yeh hamari abhaga hai.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, you just now gave a ruling that comments of members should be with reference to the demands that have been placed before the House. I would request you to see that this ruling be followed by the members instead of having a general discussion, because in a general discussion it is difficult for the Ministers to give any reply. Neither have they the time nor have they the material to do so.

Mr. SPEAKER: I have already stated that observations of members should be confined to the demands or subjects which are before the House. Honourable members have had sufficient time to ventilate their reasonable grievances during the discussion on the Governor's speach, and I would therefore request the members to confine themselves to the matters which are before the House, i.e., the demands which are before the House.

Sj. SHEOKUMAR RAI: Tab main Darjeeling ke disaster ke barey men bolunga. Jo Road wagaira ke barey men estimate hai, yeh Roads aur Communication ke restore kerney ka jo bishai hai, isko jaldi say jaldi karna chaheay. Rasta jaldi khulna chaheay, restore hona chaheay, Keanke aney janey ka rasta abhitak naheen khula hai, is say takleef hoti hai, isko jaldi karna chaheay. Iske wajah say Govt. ko bhi nuksan horaha hai, abhi rail ka rasta motar ka rasta naheen khula hai. Pahley jo Siliguri say Darjeeling tak Rs. 1-4 mun mal jata ahyan, parantu abhi Rs. 4/- mun kharaj hota hai. Govt. ka Maheena meu kitna Crore rupea ka kheti hota hai. Yeh rasta jaldi honey say kheti rukjaiga, aur Govt. ka paisa bachega. Forest Department meu jo Govt. ney estimate kiya hai, uske taraf bhi humko jaldi dhiyan dena chaheay. Forest Department ka kam na honey ke wajah say admion ko bohut takleef hoti hai. Darjeeling ek seet pardhan desh hai aur Winter Season meu wahan koela ka pana bohut mushkil hojata hai. 8 aur 10 Ghari jo ati hai us say Sub ke Ghar meu koela naheen pahanch sakta hai aur uske liey fajar sav shan tak quene lagaker thairna parta hai. Abhi hal meu ek accident hua tha, ek larka bheen meu gar kar kuchal diya giya. Is liey iske taraf Govt. ko jaldi dhiyan dena chaheay.

Sj. KANAI LAL DE: সভাপাল মহাশয়, Supplementary Budgetএ যে দাবী আমাদের মাননীয় অর্থমন্ত্রী পবিষদে উপস্থিত কবেছেন আমি তাঁর দাবী সমর্থন কবছি। তাঁব এই দাবী সমর্থন করবার সঙ্গে সঙ্গে আমি কয়েকটী বিষয়ে আমাদের সবকারেব দৃষ্টি আকর্ষণ কবতে চাই।

এবারে পুলিশ বিভাগের জন্য আবও ৪৮ লক্ষ ৬২ হাজাব টাকা চাওয়া হয়েছে। আমরা গত বাজেটে পুলিশেব খবচেব জন্য প্রায় পাঁচ কোটী টাকা মঞ্জুব কবেছি। পুলিশেব কাজ এখন অনেক বেড়ে গেছে। সুতবাং টাকা প্রয়োজন হতে পারে। পুলিশেব জন্য আবশ্যকীয় টাকা খবচ কবা হোক--দেশেব লোক তাতে বিশেষ কিছু ক্ষোভ প্রকাশ কবে না; কিন্তু পুলিশের কাজ সুচারুরূপে হোক্--পুলিশ তাদেব রক্ষক হোক, এ দাবী জনসাধারণের আছে; সে বিষয়ে আমাদের সবকাবের অবহিত হওয়া প্রয়োজন।

চোবাকারবার যেরকম দিন দিন বেড়ে চলেছে তাব ফলে স্বাভাবিক জীবনযাত্রা ব্যাহত হচ্ছে, দেশে এখন সব থেকে অসন্তোষেব কাবণ হচ্ছে চোবাকারবার, সেই চোরাকারবাব পুলিশ কি রকমভাবে দমন করছে, আমাদের সরকার যেন সেদিকে সজাগ দৃষ্টি দেন। পুলিশেব থাকবার বাড়ী হোক, তাদেব কাজেব জন্য আসবাবপত্র দেওয়া হোক, তাদের dearness allowance বাড়ানো হোক আমাদের কোন আপত্তি নাই। কিন্তু পুলিশ কর্ম্মচাবীবা গভর্ণমেণ্টের কাছ থেকে বেশী বেশী বেতন পেয়েও যেন উপরি পাবাব জন্য উদগ্রীব না হয়, তাদের ন্যায্য বেতনে সন্তুষ্ট থেকে তারা যেন তাদের কর্ত্তব্য পালন কবে দেশবাসী এইরূপ আশাই করে। কিন্তু দুঃখের সঙ্গে বলতে হচ্ছে পুলিশ তাদের কর্ত্তব্য পালন কবছে না, গত মার্চ মাসে সাম্প্রদায়িক দাঙ্গাব সময় পুলিশ কোন কোন স্থানে কর্ত্তব্য পালন করে নাই, কোন কোন ক্ষেত্রে পুলিশ উদাসীন ছিল এবং কোন কোন পুলিশ কর্ম্মচারী সাহায্য করেছিল এমন কথাও শোন যায়। আমি দেখেছি কোন কোন পুলিশ কর্ম্মচারীরা কংগ্রেস ও কংগ্রেসী সরকারের বিরুদ্ধেও নানারকমভাবে অসন্তোষ প্রকাশ করে। এমন কি বহু ক্ষেত্রে তারা কংগ্রেস কর্ম্মী ও কংগ্রেসের লোককে গালাগালিও দেয় এবং

গভর্ণমেণ্টের বিরুদ্ধে নানারকম slogan উঠিয়ে আনন্দ উপভোগ করে। পুলিশ বিভাগের যিনি মন্ত্রী আছেন, তাঁর দৃষ্টি এবিষয়ে আকর্ষণ করবার চেষ্টা করছি। জনসাধারণের মধ্যে আজকাল মন্ত্রীরা সহজভাবে যেতে পারেন না, তাঁদের সশস্ত্র রক্ষী পরিবৃত হয়ে যেতে হয়। সেজন্য জনসাধারণের সঙ্গে আগে তাদের যে প্রাণের যোগা-যোগ ছিল তা অনেক কমে গেছে বলে তাঁরা জনসাধারণের প্রাণের ব্যথা জানতে পারেন না। প্রচ্ছন্নভাবে সাধারণ-লোকে না চিনতে পারে এমনভাবে সাধারণ লোকের মত যদি তাঁরা বাইরে যাতায়াত করেন, ও মেলামেশা করেন তাহলে তাঁরা সেখানে দেখতে পাবেন পুলিশের দুর্নীতির বহর কিরকম বেড়ে গেছে। আমার অনুরোধ আমাদের সরকার যেন তাদের ও কংগ্রেসের সুনাম রক্ষা করবার জন্য এদিকে দৃষ্টি দেন।

তারপর আমি Civil Works সম্বন্ধে কিছু বলতে চাই। সেখানে দেখছি ৪২ লক্ষ ২০ হাজার টাকা মঞ্জুরী চাওয়া হয়েছে। অবশ্য এটা দার্জিলিং ও জলপাইগুড়িতে ভূমিকম্পে যে সব রাস্তাঘাট ভেঙ্গে গেছে, সে সকলের মেরামৎ খরচ বাদ দিয়ে Civil Worksএ টাকা নেওয়া হোক। Civil Worksএ অনেক কিছু খরচ করবার প্রয়োজন আছে। কতকগুলি রাস্তাঘাট তৈরী হচ্ছে এবং আরও অনেক রাস্তা বিশেষতঃ পল্লী অঞ্চলের যাতায়াতের ব্যবস্থা হওয়া আবশ্যক। এই Civil Works সম্বন্ধে--একটা বিষয়ে আমি সরকারের দৃষ্টি আকর্ষণ করতে চাই। বাঁকুড়া সহরের দক্ষিণ দিকে দ্বারকেশ্বর নামে একটী নদী আছে। সেই নদীর উপর একটা সেতুর জন্য গত চার বছর পুনঃপুনঃ সরকারের দৃষ্টি আকর্ষণের ফলে একটা সেতু নির্মাণের পরিকল্পনা গ্রহণ করা হয়েছিল। একটা ঠিকাদার কোম্পানী তার contractও পেয়েছিল। সরকার থেকে কিছু "রড়" ও সিমেন্টও সেখানে পাঠান হয়েছিল। কিন্তু বাঁকুড়াবাসীর দুর্ভাগ্য! বর্ত্তমানে সেই সেতু নির্ম্মাণ পরিকল্পনাটী পরিত্যক্ত হয়েছে। এবং যেসব মালমশলা সেখানে পাঠান হয়েছিল, আবার তা সরিয়ে আনা হয়েছে। দু-দুবার অযথা টাকা খরচ হ'ল। এই সেতুটী সরকারের শাসনকার্য্যের জন্যও অত্যন্ত আবশ্যক। বর্ষাকালে দ্বারকেশ্বর নদের ওপারে হঠাৎ কোন গোলমাল হলে পুলিশ বা সশস্ত্র ফৌজ পাঠাবার প্রয়োজন হ'লেও সহজে তা সম্ভব হয় না। সম্প্রতি আমাদের পুলিশ বিভাগের ভারপ্রাপ্ত শ্রমিকমন্ত্রী সেখানে গিয়েছিলেন। তাঁর ওপারে যাবার প্রয়োজন ছিল। কিন্তু সেতু না থাকায় তিনি আর দ্বারকেশ্বরের ওপারে যেতে পারলেন না। নামমাত্র একটা যে সেতু ছিল নদীর প্লাবনে সেটাও ভেঙ্গে গেছে। সুতরাং অন্যান্য কাজের সঙ্গে তুলনায় এই ব্রীজটা শাসনকার্য্যের জন্যও অত্যাবশ্যক এবং জনসাধারণের যাতায়াতের সুখসুবিধার জন্য অত্যন্ত আবশ্যক। জনসাধারণের সুখসুবিধা দেখা আমাদের অবশ্য কর্ত্তব্য। সেই-জন্য অনুরোধ করছি যেন ব্রীজটা এই বছরে নিশ্চয়ই করা হয়।

এই সেতু সম্বন্ধে একটা কথা প্রচার হয়েছে বাঁকুড়া জেলায়--গভর্ণমেণ্টকে সে বিষয়ে সত্য নির্দ্ধারণ করতে অনুরোধ করছি। গুজবটা এই যে, একজন বাস্তুকারের পছন্দমত ঠিকাদার এই ঠিকা না পাওয়ায়, তুচ্ছ-অছিলায় এই ব্রীজ তৈরীর পরিকল্পনা পরিত্যক্ত হয়েছে। এটা কতদূর সত্য, সে সম্বন্ধে ভারপ্রাপ্ত মন্ত্রীমহাশয় যেন অনু-সন্ধান করেন। (Hon'ble KALIPADA MOOKERJI: গুজবে বিশ্বাস করিবেন না।)

Outside the Revenue Accountএ যে টাকা চাওয়া হয়েছে, তা আমাদের দিতে হবে। এতে দেখি cattle সম্বন্ধে, চাষের বলদ কিনবার জন্য চাষীদের কিছু টাকা দেওয়ার ব্যবস্থা হয়েছে। আমাদের বাঁকুড়া জেলায় গত বৎসর থেকে বহু চাষী বলদ কিনবার টাকার জন্য দরখাস্ত করেছে, আজ পর্য্যন্তও অনেকে সে টাকা পায় নাই। চাষীরা গত বৎসর বলদ কিনতে পারেনি। এবছর যেন তাদের সেই টাকা দেওয়া হয়। এবিষয়ে যেন সরকার একটু দৃষ্টি দেন।

আর একটা কথা বলতে চাই সেটা হচ্ছে বাঁকুড়া শুভঙ্করী Schemeও বিড়াই Schemeএ যে সমস্ত গরিব লোকের জমিজায়গা, ঘরবাড়ী নেওয়া হয়েছে, তাদের claim চূড়ান্ত নিষ্পত্তির আগে যেন কিছু টাকা অগ্রিম দেওয়া প্রয়োজন অন্যথা তারা ঘরবাড়ী তৈরী করতে পারবে না। আমি এইদিকে সংশ্লিষ্ট বিভাগের মন্ত্রীমহাশয়ের দৃষ্টি আকর্ষণ করছি। এই কয়টী কথা বলে আমি এই অতিরিক্ত টাকার দাবী সমর্থন করছি।

Sj. SIBNATH BANERJEE : মাননীয় স্পীকার মহোদয়, যে Supplementary বাজেট আমাদের সামনে উপস্থিত করা হয়েছে, সে সম্বন্ধে আমি একটু আগেই আপনাদের সামনে কিছু নিবেদন করেছি। আপনাদের একটু আগেই বলেছি যে প্রদেশপালমহোদয় যে বক্তৃতা করেছেন সে সম্বন্ধে general discussion করবার সুযোগ আমাদের হয়েছিল। কিন্তু মুস্কিল হচ্ছে যে তাতে Labour সম্বন্ধে বিশেষ কিছুই ছিল না। Labour Minister ঘণ্টা খানেক বক্তৃতা করেছেন এবং তার বক্তৃতার সঙ্গে প্রদেশপালমহোদয়ের সম্বন্ধ আছে, আগে যদি বলতেন তাহলে কিছু উত্তর দিতে পারতাম। কাজেই আমাদের যে অসুবিধা রয়েছে,

Oppositionএর এই অসুবিধার জন্য Speaker হিসাবে তিনি যেন আমাদের এই সুবিধা দেন। এই Supplementary বাজেটে যে কিছু কিছু omission আছে সেটা আমরা discuss করতে পারতাম। এখানে প্রধান মন্ত্রীমহাশয়কে ধন্যবাদ যে ধুবলিয়া সম্বন্ধে আমি যা দাবী করেছিলাম তার একটা step তিনি নিয়েছেন। তারা এইটা Tribunalএ দিয়েছেন। কিন্তু তার মধ্যেও কিন্তু আছে। সেখানে Commandant সম্বন্ধে কিছুই নাই। তার আগেও অনেক যায়গায় অনেক campএ লোকে ৩।৪ দিন ঘুরেও ration card পায় না। এইভাবে হামেসাই তারা ration পাচ্ছে না। এই ration যাতে পায় তার বন্দোবস্ত করা উচিত। অনেক যায়গায় ছেলেমেয়েরা আরো অনেক অভিযোগ করেছে। আমি আশা করি এই সম্বন্ধেও তদন্ত হবে এবং তাদের অভিযোগ দূর করবার চেষ্টা হবে। কারণ যেভাবে তাড়াতাড়ি trialএর ব্যবস্থা হয়েছে, তার ফলে মনে হয় এই Government দোষী ধরতেও না পারলে কোন কোন ক্ষেত্রে Government কিছুটা ব্যবস্থা অবিলম্বে করতে পারেন। লাক্সিলিং সম্বন্ধে বাজেটে যা ধরা হয়েছে তা আমি সম্পূর্ণভাবে সমর্থন করছি। কিন্তু আমার মনে হয় সেটা যথেষ্ট হয় নাই। একটা যায়গায় বৃষ্টির জন্য land slide হয়েছে এবং এখানে বলা হয়েছে যে ২০।৩০ জন লোক নিযুক্ত করা হয়েছে repairএর জন্য। কিন্তু তার কোন প্রয়োজন ছিল না। কারণ এই অবস্থায় মিলিটারীর সাহায্য নেওয়া যেতে পারতো। তারা ২৪ ঘণ্টার মধ্যেই একটা ব্রীজ তৈরী করে দিতে পারে। এবং সেখানে আসাম link—আসাম, বাংলা দেশ ও বিহারের মধ্যে যোগাযোগ নষ্ট হয়ে যাওয়ায় সেখানে আরো vigorous action নেওয়া উচিত ছিল। তার জন্য যদি বেশী টাকা চাওয়া হোত তাহলে সেটা সমর্থন করতাম। সেখানে Government অত্যন্ত ভয়ে ভয়ে এগুচ্ছেন, সেটা তাদের পক্ষে খুব গৌরবের নয়।

আর একটা জিনিষ, যেটা আমাদের প্রধান অসুবিধা--জিনিষপত্রের দাম বেড়ে গিয়েছে, সে সম্বন্ধে কোন ব্যবস্থা করা হয় নাই। আর দুইটা কাজ করা উচিত। যারা কাজ করছে তাদের dearness allowance দেওয়া এবং আর একটা black marketing বন্ধ করা—যাতে জিনিষপত্রের দাম না বাড়ে তার চেষ্টা করা, এই দুইটা সম্বন্ধে কোন ইঙ্গিতই পাচ্ছি না। এই সঙ্গে আর একটা কথা মনে পড়ে গেল। বর্ত্তমান মন্ত্রীমহাশয় বলেছেন যে সুরেশবাবুর সময় মাত্র ৬৬টা Tribunal হয়েছে এবং তার সময় হয়েছে তার অনেকগুণ বেশী। কিন্তু আপনারা যদি প্রণিধান করে দেখেন তাহলে দেখবেন যে ঐ যে ৬৬টা তার মধ্যে তিনটাতেই অন্ততঃ ৫ লক্ষ লোক involved ছিল। এবং তার এই যে বহুসংখ্যক পুঁচকে পুঁচকে Tribunal তার চেয়ে অনেক বেশী লোক ছিল ঐ ৬৬টা Tribunalএর মধ্যে involved. Tribunal সম্বন্ধে যে নীতি আমাদের বর্ত্তমান মন্ত্রীমহাশয় গ্রহণ করেছেন সেটা মোটেই justified নয়।

Speaker মহোদয়, আমাকে কতটা সময় দেওয়া হবে?

Mr. SPEAKER : You will be given 10 minutes.

Sj. SIBNATH BANERJEE : That will be very insufficient. I shall again quote May's Parliamentary Practice, there is no guillotine in the supplementary budget.

Mr. SPEAKER : Yes, you go on.

Sj. SIBNATH BANERJEE : I shall require half-an-hour. এই Tribunalএর নীতি হয়ে যে একবার হয়ে গিয়েছে।

Mr. SPEAKER : There is no demand for Labour.

Sj. SIBNATH BANERJEE: I am speaking because there is no demand. There should have been a demand by the Labour Minister for dearness allowance. For the omission to have that demand I am raising this question. There should have been a demand. The omission to raise the dearness allowance is a betrayal of the working classes.

এখানে দেখা যাচ্ছে যে বর্ত্তমান Government এই Supplementary বাজেটে record publish করবার জন্য টাকা চেয়েছেন। কিন্তু এখানে বলা দরকার যে তারা Government employeeদের জন্য কিছুই করে নাই। Writers' Buildings বা Government Houseএর চাপরাসীরা ৫০৲ টাকা বেতন পায়। তারা এই টাকায় কিছুতেই বেঁচে থাকতে পারে না। Day-to-day তারা মরে বাচ্ছে।

It is slow death inflicted on the workers. তারা সেটা দেখতে পাচ্ছেন না। কোরিয়ার যুদ্ধের জন্য সব জিনিষের দাম বেড়ে গিয়েছে। তখন immediate necessity হচ্ছে তাদের dearness-allowanceএর সুবাহা করা। কিন্তু এখানে তারা fail করেছে।

Mr. SPEAKER: Mr. Banerjee, you cannot discuss it. If you refer in a cursory way I shall not object but if you wish to make it a subject for discussion, certainly I cannot allow you. It is the Crown who demands the grant; you cannot force the Crown to ask for more. There is a limit to a discussion. When a supplementary demand is presented you cannot be allowed to go over the same subject again and again. Therefore if you wish to say something which is relevant to Labour I will permit certain amount of latitude, but please do not make it a main subject of discussion.

Sj. SIBNATH BANERJEE : আপনাকে ধন্যবাদ, মাঝে মাঝে মনে করিয়ে দেবেন কখন আমি বেফাঁস বলে ফেলি। ছয় মাস পরে opportunity পেয়েছি তাই বলছি।

I. N. T. U. C সম্বন্ধে বলতে পারি যে মন্ত্রীমহাশয়েরা এর সঙ্গে সংশ্লিষ্ট আছেন। I. N. T. U. C.র মধ্যে গলদ বেশী। এখানে তিনি বলেছেন যে শ্রমিকরা এইসব strikeএ কোথাও যোগ দেয় নাই, তার প্রমাণ তাঁরা পেয়েছেন ১২ই তারিখে। আমি বলতে চাই যে এইসব ধরপাকড়ের জন্যই বেশী strike হয়েছে। Port Commissionerএ strike হোত না কিন্তু Unionএর Presidentকে ধরার জন্যই সেখানে strike হয়েছিল এবং এখানে হয়তো প্রধান মন্ত্রীমহাশয় নাও জানতে পারেন কারণ শ্রমিকমন্ত্রীমহাশয়ের পক্ষে তাকে ধাপ্পা দেওয়া চলতে পারে কিন্তু তিনি জানেন কোথায় কোথায় আমাদের influence ছিল এবং যেখানে যেখানে influence ছিল তার প্রত্যেক যায়গাতেই strike হয়েছে, একমাত্র Tram বাদ দিয়ে।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Are we discussing the labour reunion or labour policy? Let us have some limit to our discussion.

Mr. SPEAKER: I have already stated that the honourable member should not make it a main subject. I find Mr. Banerjee is referring to it again and again. I have got to prevent him from speaking further on Labour.

Sj. SIBNATH BANERJEE: If I am out of order I will certainly be guided by you.

Mr. SPEAKER: But in the speeches so many irrelevant things are said. If I am to pull up every member for irrelevant things it will be very difficult to carry on. Therefore I allow a certain amount of latitude when members are speaking but there must be some limit to irrelevancy. Labour matter is not before you; you have not spoken a single word about Land Revenue, Forest or Police.

Sj. SIBNATH BANERJEE: I am coming to that.

Mr. SPEAKER: If you discuss irrelevant matters you will excuse me if I cannot allow you.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Is there no time limit for any member speaking on a supplementary budget?

Mr. SPEAKER: Generally it is made by agreement or if the Speaker thinks that sufficient discussion has taken place.

Sj. SIBNATH BANERJEE: আপনার এই ruling মাথা পেতে মেনে নিচ্ছি কিন্তু একটা কথা নিবেদন করবো।

Mr. SPEAKER: So much time will be taken out.

Sj. SIBNATH BANERJEE: It is not a matter of time being wasted. The other day you said that I wasted the time. I think whatever we are doing is wasting time and wasting money, but that is neither here nor there.

আমি বলছি যে মন্ত্রীমহাশয়েরা যখন irrelevant কথা বলেন তখন যদি বাধা দেওয়া হয় তাহলে আমাদের আর কথা বলতে হয় না।

The Hon'ble NIHARENDU DUTT-MAZUMDAR: It is a reflection on the Chair.

Mr. SPEAKER: Mr. Banerjee, I am sorry you are saying something which you should not say. The position is this: if I am strictly allowing members to speak relevant to the subject, you will find it very hot.

Sj. SIBNATH BANERJEE: We do not mind; we shall welcome it.

Mr. SPEAKER: You do not but many of the members will find it difficult.

Sj. SIBNATH BANERJEE: But then all the others will be prevented from saying irrelevant things.

Mr. SPEAKER: They will be prevented but in a House of Legislature where everybody is not a lawyer and everybody does not understand the rules of relevancy I cannot be so strict as with the lawyers in a court of law. Therefore a certain amount of latitude has always been allowed and I have allowed it so that the speeches of the honourable members may not be interrrupted too much, but you must remember—after all you are an old parliamentarian—that you must make it relevant to the subject. Even if a subject is irrelevant the parliamentary procedure is that you must make it relevant. You have spoken for 10 or 12 minutes on a subject which is not relevant and not a word has been said about what is relevant. Please therefore speak on the subject which is relevant.

Sj. SIBNATH BANERJEE: ফুড সম্বন্ধে এখন বলাযাক। তাহলেই land revenue—

Mr. SPEAKER: There is no demand for food.

Sj. SIBNATH BANERJEE : I shall make it relevant if you listen for one minute. Land systemএর উপর আমাদের food সম্পূর্ণরূপে নির্ভর না করলেও অন্তত: 95 per cent. নির্ভর করে। জমিদারী system যদি abolished না হয় তাহলে food যথেষ্ট হবে না। কথাটা অন্যভাবে put করছি। Land developmentএর জন্য যে সমস্ত খরচ করা দরকার, সেটা করা হলে, আমরা সর্বান্ত:-করণে সমর্থন করতাম। গভর্ণমেণ্টের গত বাজেটে যা উল্লেখ করা হয়েছিল সে সম্বন্ধে কিছু না করে যা বলেছেন, তা eyewash ছাড়া আর কিছু নয়। সুতরাং আমার আশঙ্কা যে গভর্ণমেণ্ট Land Revenue সম্বন্ধে যা করতে চেয়েছিলেন বলে প্রকাশ করেছিলেন সেটা যে করা হয়নি তার কারণ এখন তাঁরা সেটা করতে চাননা।

তারপরে Civil liberty সম্বন্ধেও দুই একটি কথা বলবো। কারণ পুলিশের জন্যও বাজেটে ওরা টাকা চেয়েছেন।

Mr. SPEAKER: Mr. Banerjee, the House will stand adjourned for 15 minutes. After that please finish your speech in five minutes. I have already given you 15 minutes' time. Please condense your speech.

(At this stage the House was adjourned for fifteen minutes.)

(After adjournment.)

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, may I suggest that mikes may be given on the front bench? It is for the Speaker to decide.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Can he speak on the mikes in connection with this supplementary grant?

Mr. SPEAKER: Order, order. Mr. Banerjee, will you go on?

Sj. SIBNATH BANERJEE : আমি Civil liberty সম্বন্ধে বলছিলাম। আমার পূর্ববর্তী বক্তা বলেছেন যে পুলিশ বাজেটে আর অতিরিক্ত বাড়ান কোন প্রকারেই যুক্তিসঙ্গত নয়। কারণ পুলিশের জন্য যে টাকা বরাদ্দ হয়েছে সেটা অপব্যয় হচ্ছে। পুলিশ-মন্ত্রী যিনি হবেন, এখন যেমন আমাদের চিফ্ মিনিষ্টার হয়েছেন, তিনি ভাবেন যারা শ্রমিকদের সম্বন্ধে কথা বলেন, তাদের subversive activities হয়ে গেল, অতএব তাদের internment কর, externment কর—এবং পুলিশের হল এই কাজ। আমি একটা instance দিচ্ছি, হাওড়া মিউনিসিপ্যালিটিতে মানস দাস বলে একজন শ্রমিক, সেখানে শ্রমিকদের সংগঠন করে একটি শ্রমিক ইউনিয়ন করেন, তার জন্য তাকে ১২ তারিখের হরতালের নাম করে ধরে নিয়ে যাওয়া হয়েছে। এই হরতালের সঙ্গে তার কোন সম্পর্ক ছিল না, তথাপি তাকে ছাড়া হচ্ছে না। তাকে এখনও পর্য্যন্ত ছাড়া হচ্ছে না, তার কারণ সরকার মনে করেন হাওড়া মিউনিসিপ্যালিটি একটা অন্যায়, illegal কাজ করেছে এবং যারা support করেছে তারাও দোষী। ১৯৪৬ সালে সাম্প্রদায়িক দাঙ্গাহাঙ্গামার সময় বহু শ্রমিক কর্ম্মচারী-দের একটি বাড়ীতে রাখা হয় এবং তার জন্য প্রায় তিন লক্ষ টাকা rent হিসাবে পাওনা হয়। আজকে হাওড়া মিউনিসিপ্যালিটি এই তিন লক্ষ টাকা rent যা হয়েছে সেটা ফাঁকী দিতে চাচ্ছেন এবং তা support করছেন প্রধানমন্ত্রীমহাশয়।

The Hon'ble NIHARENDU DUTT-MAZUMDAR : On a point of order, Sir. Can the same speech be delivered again and again on different occasions? This part of his speech has been delivered already—this Howrah Municipal strike.

Mr. SPEAKER : That is no point of order. Yes, Mr. Banerjee.

Sj. SIBNATH BANERJEE : I think the Hon'ble Minister is entirely wrong. It was not delivered. It is your imagination, hallucination. হাওড়া মিউনিসি-প্যালিটি Bengal Governmentএর প্রায় তিন লক্ষ টাকা মেরে দেওয়ার চেষ্টায় আছে। শ্রমিকদের নিয়ে গিয়ে রেখেছিল illegal Strikeএর অজুহাতে এবং শ্রমিকদের সঙ্গে মানস দাস সংশ্লিষ্ট ছিলো বলে তাকে ছাড়া হচ্ছে না। এই হ'ল পুলিশের বর্ত্তমান রূপ। সুতরাং এই যদি পুলিশের রূপ হয় তাহ'লে বর্ত্তমানে তাদের জন্য আর টাকা খরচ করা কোন মতেই উচিত নয়। তবে যদি তাঁরা একথা বলতেন যে সেন্ট্রাল গভর্ণমেণ্ট বলেছেন ঐ frontierএর জন্য আরও পুলিশের দরকার এবং তার জন্য আরও টাকার দরকার তাহলে আমাকে একথা বলতে হ'ত না। কিন্তু বর্ত্তমানে পুলিশের যে কার্য্যাবলী আমরা দেখতে পাচ্ছি এবং প্রধান মন্ত্রীমহাশয়ের আজকে questions and answersএর সময় এবং আগের দিনে Asansol ও Kultir questions and answersএও যা দেখেছি সেই পুলিশের যে নীতি, জনসাধারণের উপর পুলিশের যে দরদ তার জন্য এক পয়সাও পুলিশের জন্য খরচ করা উচিত নয়।

আজকে পুলিশের জন্য যে টাকা sanction করা হয়েছে সেটা cancel করতে পারি না বলেই কিছু করতে পারছি না। আজ আর পুলিশখাতে টাকা দিতে মোটেই রাজী নই। মহাজাতিসদন সম্পর্কে টাকা চাওয়া হয়েছে, এবং এর আগেও টাকা নেওয়া হয়েছে অথচ তিন বছর হয়ে গেল মহাজাতিসদনের কাজ সম্পন্ন হল না। মহাজাতিসদনের সঙ্গে আমাদের বাংলাদেশের কেন বলি সমস্ত পৃথিবীর লোক জানে বিশ্বকবি রবীন্দ্রনাথ এবং নেতাজী সুভাষচন্দ্রের স্মৃতি বিজড়িত। আজও সেই মহাজাতিসদন তৈরী না হয়ে পড়ে রয়েছে। তার জন্য এখন সাপ্লিমেন্টারী বাজেটে টাকা চাচ্ছেন—এটা আমাদের এসেম্বলীর সকল মেম্বরের পক্ষেই লজ্জার কথা, এবং তার চেয়েও বেশী লজ্জার কথা বর্ত্তমান মন্ত্রিমণ্ডলীর পক্ষে। দিল্লী, বোম্বাই প্রভৃতি অন্য কোন দেশ হলে তাঁদের জন্য statues তৈরী হ'ত। মহাজাতিসদন একটি খুব ভাল purposeএ করা হয়েছিল এবং সেটা বিশ্বকবি রবীন্দ্রনাথ আরম্ভ করে গিয়েছিলেন কিন্তু বড়ই দুঃখের বিষয় সেটি আজও বর্ত্তমান মন্ত্রিমণ্ডলী শেষ করতে পারছেন না। সেইজন্য তাঁরা টাকা নিয়ে কি করবেন তাতে আমাদের যথেষ্ট সন্দেহ আছে। হয়ত মহাজাতিসদনের সামনে ত্রিকোণ পার্কে সর্ব্বসাধারণের জন্য এক হাসপাতাল করে বসবেন, যে পার্কে নেতাজীর একটি মর্ম্মর মূর্ত্তি স্থাপন করা উচিত, কিন্তু তা হচ্ছে না। তাঁরা এটা যদি করতেন তাহলে বুঝতাম হয়ত তারা

এই টাকা মহাজাতিসদনের জন্য খরচ করবেন। বাংলাদেশে জনসাধারণের নাড়ী ডাঃ রায় বোঝেন না, তা যদি বুঝতেন তাহলে বলতেন যে যত শীঘ্র সম্ভব এই Stateএ মহাজাতিসদন প্রস্তুত করা হোক। এবং দেশের লোক তাঁকে ধন্যবাদ জানাত। কিন্তু তিনি যেভাবে কাজ করছেন তাতে ধন্যবাদ দেবার কিছু নেই। তবে যে কাজ আরম্ভ হয়েছে সেটা complete করা দরকার সেইজন্য বেশী আর নিন্দা করা গেলনা (laughter. A VOICE : ওকি আপশোষ হচ্ছে)। শ্রমমন্ত্রীমহাশয়ের কথাটা আবার এসে পড়ে—বোনাস্ সম্বন্ধে প্রশ্ন করা হয়েছে। আমরা জানতে পারলাম নূতন যে ট্রাইবিউনাল করা হয়েছে তাতে বোনাসের উল্লেখ নেই। Jute Mills Association এই bonus সম্বন্ধে কোন আপত্তি করেনি তথাপি মন্ত্রীমহাশয় তিন কোটী টাকার bonus যেটা তারা পেত, তা থেকে তাদের বঞ্চিত করেছেন। আশা করি শ্রমমন্ত্রীমহাশয় ও প্রধান মন্ত্রীমহাশয় তাঁদের policy বদলাবেন এবং I. N. T. U. C.র চাপে পড়ে কিছু করবেন না।

(At this stage the blue light was lit.)

আমাকে আরও ১০ মিনিট সময় দেওয়া হোক।

Mr. SPEAKER: I gave you a warning to finish your speech in five minutes. There are other members who want to speak; so I cannot allow you any more time.

Sj. SIBNATH BANERJEE: Then I shall sit down now. Then when there will be no speaker, I shall speak again.

The Hon'ble Dr. BIDHAN CHANDRA ROY: May I suggest that the room may be left open for him when we will all leave the Chamber, so that he can go on speaking whole night (laughter).

Mr. SPEAKER: When the demands for grants will be taken up, you will have another opportunity to say what you have still got to say. Please finish it now.

Sj. SIBNATH BANERJEE : আর তিনটী main point আছে। তার একটী হচ্ছে refugee সম্বন্ধে তাঁরা যে টাকা চেয়েছেন, আমি আগেই বলেছি সেটা খুব ভাল। Studentদের জন্য কিছু টাকা খরচ করছেন। প্রধান যে সমস্যা—refugee rehabilitation—সে সম্বন্ধে তাঁরা কিছু বলেন নাই। প্রধান মন্ত্রীমহাশয়ত চটে-মটে সেদিন বলেছিলেন তাদের উপর confidence নেই। হ্যাঁ, তা থাকলেত তাঁর পাশেই একজন মন্ত্রী হয়ে বস্‌তাম। সেটা ঐ confidenceএর অভাবের জন্য নয়, আমার Confidence আছে বলেই মন্ত্রীদের ভুলত্রুটী পরিষ্কার করে তাঁদের মুখোস খুলে দেশের সামনে রাখছি, তিনি বলেছেন যে ৯০ হাজার ঘর তৈরী হয়ে বেরিয়ে গেছে। সেখানে কম করে থাকলেও সাড়ে চার লক্ষ লোক থাকতে পারে। কিন্তু সে জায়গায় এগার লক্ষ লোকের পুনর্বাসন সম্ভব হলো কি করে? সে ঘরগুলো এমন যে বাতাসে উড়ে যায়, বৃষ্টি হ'লে ছাদ দিয়ে জল পড়ে। সে ঘর যদি ডাঃ রায়ের ঘরের মত বা অন্যান্য মন্ত্রীদের ঘরের মত বলেও ধরে নিতাম তাহ'লেও তা যথেষ্ট নয়। তাদের পুনর্বাসনের জন্য হয় জমি দেবেন, না হয় কাজ দেবেন, তার কোন উল্লেখ এখানে নাই। আমি শুনতে চেয়েছিলাম তাদের কতজনকে জমি ও কাজ দেওয়া হয়েছে যার উপর তারা নির্ভর করে জীবনধারণ করতে পারে? তা না করে refugeeদের সম্বন্ধে তাঁরা একটা bluff দিয়েছেন। সেটা bluff ছাড়া আর কিছুই নয়। Refugee problemটা এত বড় ও ব্যাপক যে এরকম problem কোন দেশকে কখনও face করতে হয়নি। কিন্তু এই সঙ্গে এটুকুও বুঝতে পারছি যে তাঁরা এবিষয় বেশী কিছু করতে পারেননি। যেটা তাঁরা পারেন নাই, তার জন্য তাঁরা আবার বাহবা নিতে চান। তা দেশের লোক তাঁদের দেবে না। এর জন্য বরং দেশের লোক তাঁদের নিন্দা করবেন। (A VOICE : আচ্ছা, দেখা যাবে।) হ্যাঁ, দেখবেন। Black-marketingএর সম্বন্ধে কিছু বলতে গেলেই পুলিশের কথা এসে যায়। তারা এই black-marketing বন্ধ করছেন না। প্রধান মন্ত্রীমহাশয়ের অবগতির জন্য জানাচ্ছি প্রথমে black-marketing বন্ধ করবার জন্য বিহার গভর্ণমেণ্ট কিছু করেনি; তারপরে যখন সেখানকার জনসাধারণ picketing করবার ধমক ও হুঙ্কার দিল, তখনই সঙ্গে

সঙ্গে আমরা দেখতে পাচ্ছি, জানি না হবে কি না, তাঁরা বলছেন black-marketeerদের আমরা preventive detention করবো। আমরা যে দাবী করেছিলাম, সেই দাবীর প্রতিধ্বনি বিহারে শুনতে পাচ্ছি। আমি মন্ত্রিমণ্ডলকে সতর্ক করে দিতে চাই

(At this stage the red light was lit.)

Mr. SPEAKER: Order, order, Mr. Banerjee. Your time is up.

Sj. SIBNATH BANERJEE: But I should be allowed to finish my sentence. That is the parliamentary practice all over the world.

Mr. SPEAKER: Mr. Banerjee, when the red light is there, a member has to stop wherever he is. When the blue light is there a member has an opportunity to conclude his speech. Now you may conclude your sentence.

Sj. SIBNATH BANERJEE : আবার গোড়া থেকে বলবো। আমি প্রধান মন্ত্রীমহাশয়কে ও মন্ত্রিমণ্ডলীর যারা উচ্চৈঃস্বরে হাস্য করছেন তাঁদের আমি সতর্ক করে দিতে চাই যে বিহারে যা হয়েছে, আমাদের এই বাংলা দেশে যদি black-marketeerদের তাঁরা সায়েস্তা না করেন, তাদের যদি preventive arrest করে ধরে ধরে না নিয়ে যান, তাহ'লে picketing এমনভাবে হবে, তা যে শুধু black-marketeerদের ঘরে ঘরে হবে, তা নয়, আমাদের মন্ত্রীদের ঘরে ঘরেও হবে। এই কথা আমি সোসালিষ্ট পার্টির তরফ থেকে তাঁদের জানিয়ে দিতে চাই।

Janab Syed BADRUDDUJA: Mr. Speaker, Sir, supplementary estimates are always presented to this House in the midst of financial years. Naturally therefore, we find it very difficult to have sufficient details just to have a correct picture, a correct idea of the financial implications of the various provisions made therein. But there can be little discussion over this question as Government have no other alternative, because Government have no agency which can anticipate any unforeseen expenditure. Sir, the Hon'ble the Finance Minister deserves our congratulation for some of the salutary provisions he has made, viz., the provision of Rs. 56,41,000 for dispersal of students from Calcutta institutions to colleges and institutions that are being set up in mofassil areas in pursuance of the dispersal scheme. Nothing can be more commendable than this because people who have been displaced from their home and hearth and cut-off from the moorings of life, practically find themselves in the wide sea. The Government of West Bengal, more especially the Finance Department, do therefore deserve our congratulations for their sympathies for the unfortunate students who are the future hope of the country. I come to another provision of Rs. 50 lakhs included in the estimate for creation of contingency fund for West Bengal. This may provide against difficulties in future so that we may, when we pass through lean years, utilise the accumulated fund under this head, that fund may then come to our rescue.

As regards the other provisions it is not possible for me within the short time at my disposal to discuss all the items. There are other provisions in the supplementary estimate which are not of a very controversial character, as for example, the provisions made for Land Revenue, Industries and Civil Works under which additional sums have been provided on account of land slides in and around Darjeeling. So far so good. But coming to the Police budget I am rather amazed that another half a crore has been provided. I will give you some figures which will clearly show the amount of money that has been squandered away for the police establishment in West Bengal. In the Financial Statement of 1950-51, many members pointed out that expenditure under this head had increased out of all proportion. In the year 1942-43, the year of serious August disturbances in Bengal and all over India, when the Congress leaders were arrested, only Rs. 2,48, lakhs

was provided for the whole of Bengal whereas in 1945-46 the provision was Rs. 3,58 lakhs and odds and that for 1946-47 Rs. 4,76 lakhs and odds for the whole of Bengal. For one-third of Bengal on that computation the provision ought to have been Rs. 119 lakhs for 1945-46 and for 1946-47 Rs. 1,59 lakhs. But we provided Rs. 4,62 lakhs and odds for 1949-50 and more than that amount for 1950-51. Now again we are being asked to provide more than Rs. 48 lakhs in the supplementary estimates and for what purpose? For the inefficiency of the Police Department, for the police administration having failed to protect the people, failed to protect the civil liberties of the people, for having failed to protect the home and hearth of the people, for having failed to protect the lives and honour of the people, and more especially of the Muslim minority. The Hon'ble the Chief Minister took exception to my remark that the police had failed to protect the minority. It is not the first time that I mention this. Time and again I have stated, restated, and emphasized on the floor of this House and outside, before the Chief Minister and the Commission of Enquiry that the entire police administration had practically broken down. So far as Muslims were concerned I can give not one or two instances but thousands of instances to show how the police administration had been carried on in West Bengal. Take, for instance, the district of 24-Parganas. I will show how the police functioned there while the people were being tortured, looted, plundered, robbed of their properties and possessions under this very civilised Government. I shall now cite some of the incidents. On the 1st of February, 1950, there was an occurrence in village Arakpore, Tollygunge, 24-Parganas; on the 3rd February in village Shamnagar, Noapara, 24-Parganas; on the 4th February, in village Chandanpukur, 24-Parganas and in the Zamindari *Bustee*, Kakrastan Road, 24-Parganas; on 5th February in village South Station Road, Dum Dum, 24-Parganas; on 6th February in Jessore Road, Dum Dum, 24-Parganas; on 8th February in village Gorabazar, Dum Dum and in Diluadanga, Gondolpara in 24-Parganas; 9th of February—Paromoni Ghat Road, Baranagar, 24-Parganas, S. P. Banerjee Street, Alambazar, 24-Parganas, Sultanpore, Dum Dum, 24-Parganas, Gouripore, Dum Dum, 24-Parganas, Gorabazar, Dum Dum, 24-Parganas; 10th of February—Babonpore, Dum Dum, 24-Parganas; 11th of February—Nai *Bustee* Gorabazar, Dum Dum, 24-Parganas; 12th of February—Nagar Bazar, Dum Dum, 24-Parganas, Badra, Dum Dum, 24-Parganas, Bagjalla, Dum Dum, 24-Parganas, Dr. Ata Md. Road, Dum Dum, 24-Parganas, Gorabazar, Dum Dum, 24-Parganas, R. N. Guha Road, Dum Dum, 24-Parganas, Hajrat Lutfur Rahman Road, 24-Parganas, Kabrastan Road, Dum Dum, 24-Parganas, Insulator Road, Dum Dum, 24-Parganas, Kali Prasad Saw Street, Dum Dum, 24-Parganas, Khublal Saw Street, Dum Dum, 24-Parganas, Tod Road, Gorabazar, 24-Parganas, Gun Foundry Griding Road, Kachi Sarak, Dum Dum Municipal Lane, Dum Dum, 24-Parganas, Lalzi Saw Street, Dum Dum, 24-Parganas, N. C. Mitter Road, Dum Dum, 24-Parganas, Dhuniapara Road, Barrackpore, 24-Parganas; 13th of February—Digla Khanpara, Dum Dum, 24-Parganas, Manickpore, Dum Dum, 24-Parganas, Qazipara, Dum Dum, 24-Parganas, Kabrastan Road, Dum Dum, 24-Parganas, R. N. Guha Road, Dum Dum, 24-Parganas, Bagjalla, Lutfur Rahman Road, 24-Parganas, Digla Gorabazar, Dum Dum, 24-Parganas, H. Lutfur Rahman Road, Dum Dum, 24-Parganas, Zamindari *Bustee*, Dum Dum, 24-Parganas; 14th of February—Nimta, Dum Dum, 24-Parganas, R. N. Guha Road, Dum Dum, 24-Parganas; 15th of February—Rai Bahadur R. N. Guha Road, Dum Dum, 24-Parganas.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. Before the Statutory Commission of Enquiry into the Disturbances all facts are to be placed and their veracity or otherwise is to be tested.

Is the honourable member justified in reading out his evidence which he may have submitted before the Disturbances Commission on the floor of this House and what value will this have at all?

Janab Syed BADRUDDUJA: Mr. Speaker, only the other day the Chief Minister instead of facing facts, instead of answering my questions and queries on the floor of this House, indulged in personal invectives as answer to my queries. Therefore, Sir, I am only trying to substantiate how his police administration has most miserably failed, I have taken only one district, but he cannot stand it.

Janab MD. KHUDA BUKHSH: Mr. Speaker, I should like to speak on the point of order raised by the honourable member opposite. The honourable member opposite has raised this point of order that a member who may or may not have deposed before a Tribunal outside this House forfeits his right to speak over it again in this House. I want your ruling on this point that a member *par se* on the strength of his being a member does not lose his right to mention anything that may have transpired within his knowledge on the floor of this House. This House is sanctified and here we can bring in any subject that comes to our notice and here we enjoy the freedom and privilege that is accorded to every member of this House. So, Sir, I beg to suggest to the Chair humbly that the honourable member, by raising this point of order, has offended against the privileges of the members of this House.

Sj. SIBNATH BANERJEE : এই point of order সম্বন্ধে আমার submission হচ্ছে যে সেই report কখনই এখানে place করা হবে না। এটা প্রধানমন্ত্রীদের কাছে পাঠান হবে—পণ্ডিত নেহরু ও লিয়াকৎ আলির কাছে। এখানে মোটেই আসবে না। সুতরাং এই যে তিনি point of order তুলেছেন এটা frivolous point of order.

Mr. SPEAKER: I think the honourable member is entitled to refer to that. After all, there is an Enquiry Commission before which the honourable member may have given evidence, but that does not mean that the honourable member is not entitled to refer to that subject in this House.

Janab Syed BADRUDDUJA: Thank you, Sir. I was referring to 13th February—Digla Khanpara, Dum Dum, 24-Parganas, Maniekpore, Dum Dum, 24-Parganas, Qazipara, Dum Dum, 24-Parganas, Kabrastan Road, Dum Dum, 24-Parganas, R. N. Guha Road, Dum Dum, 24-Parganas, Bagjalla, Lutfur Rahman Road. .. ...

Mr. SPEAKER: Mr. Badrudduja, you have given a long list by this time and I think time may be saved by not prolonging it any more.

Janab Syed BADRUDDUJA: It is a very small fraction, a microscopic fraction of the whole. It is for only one district. There is Howrah, there is Calcutta, there is Hooghly, there is Bankura, there is Jalpaiguri, there is Malda, there is Nadia—all along the line—the entire State has been Sir, ablaze and this Police administration has most miserably failed to protect the Muslim minority from the hooliganism, from the vandalism of the miscreants.

Mr. SPEAKER: You have repeated it.

Janab Syed BADRUDDUJA: If you permit me, if you allow me to go on—I do not misunderstand you.....

Mr. SPEAKER: In order to save time, I am asking you.....

Janab Syed BADRUDDUJA: This will be enough for our friends on the Treasury Benches. I will come to the other side of the question as to how

the Police have protected the honour of our Muslim women. This was a point that was raised before the Prime Minister of India on the 31st March, 1950, when I led a deputation to Delhi, and the Hon'ble the Chief Minister of this Province denied all the allegations. I produced before the Enquiry Commission a girl Hyesha Khatun for examination. There is a list of these abducted women that I submitted before the Enquiry Commission. Not only Muslim properties were looted and plundered, not only Muslims were robbed of their possessions and belongings, but their honour, the prestige and honour of their women was not also safe under this civilized Government. When I refer to this barbarous Government, I would personally much rather not be safe in this civilized administration. Let all those who pretend to represent the Muslims of West Bengal here—these Muslim nincompoops sitting over here—who cannot protect their mothers, sisters and brothers be first of all tortured, pilloried and hanged. It would be much better if the civilized Government used all their powers to crush us, to pillory us, to hang us, to torture us, and thus put an end to all the Muslim M.L.As. here. That would be much better.

We are grateful to some great leaders of the Hindu community. I have never charged the Hindu community, but a subservient press has tried to mislead the Hindus. I am grateful to some great Hindu leaders such as Dr. P. C. Ghosh, Mr. Charu Chandra Bhandari, Mr. Haripada Chatterjee, Mr. J. C. Gupta, Sri Kanai Lal De and his noble wife and others who stood by us during a great crisis. They were the defenders of Muslims. The Muslims could not save the situation. So long as there is one single Muslim in India, he will remember with the deepest gratitude all these sacrifices, all these services they rendered to the cause of the Muslim community in the hour of their greatest need.

Sir, when I pointed out that in the industrial areas 22,000 Muslims had been dismissed—and that in violation of the standing orders—the Hon'ble the Chief Minister of the Province, for whose wisdom and experience I had great admiration and regard, had no answer; he wanted to cloud the entire perspective by incorrect facts and thus evade the real issue. He said "Mr. Walker is there. He says some Muslims have been re-appointed." Sir, I have it from a very unimpeachable authority—from a source which cannot be questioned—that only a few temporary appointments have been made, though Muslims were dismissed in thousands. We want a Tribunal, Sir, to enquire into the legality or otherwise of the whole affair.

For no fault of theirs, thousands of Muslims were dismissed in abnormal times when they were suffering from a sense of desperation and running away to Pakistan and the neighbouring States of sheer panic. The unfortunate situation was taken advantage of and 22,000 Muslims were straightaway dismissed. As protector of the rights of citizens, the Chief Minister should have given some answer; but he had no answer.

So far as rehabilitation and relief of Muslims are concerned, I do not like to raise any communal fervour or communal passion. I say that the Muslims were deprived of their rights even in the matter of rations, even in the matter of relief.

Mr. Speaker, Sir, I was referring to these things only to show, only to stress that in the matter of relief and rehabilitation and in every other matter Muslims were shabbily treated and were deprived of their rights and privileges. Sir, I would not have raised this question but for the fact that during the debate on the Governor's address I got no answer on this point. Sir, 99 per cent. of the Muslims have not yet been rehabilitated. They find difficulty in getting their own houses. This is the position at

the present moment. Sir, it is said that I have lost my head. Dr. Roy, you are an eminent physician. Physician, why not heal thyself, why not cure the insanity of your administration, why not cure the inefficiency of your administration, why not cure the communal perversity of your administration, why not cure the unsympathetic, cruel and indifferent attitude of your administration towards the Muslims of West Bengal?

Sir, I will now refer to Mr. Nalini Ranjan Sarker for the most unpleasant things he has said about me. I believe that he has only tried to paint me in colours taken from his own paint-box. Sir, I never aspire to the clean standard of his public and private life. Sir, my esteemed friend over there had hobnobbed with Mr. Fazlul Huq for about four years and a half and then suddenly he managed to secure a seat in the Viceroy's Executive Council. Then one fine morning, Sir, on the issue of the historic fast of Mahatma Gandhi, he dramatically walked out from the Executive Council to rehabilitate himself in the Congress organisation from which he had been banned for good conduct and misconduct I do not know. And, Sir, finally, he has come to fresh fields and pastures new has developed a new complex a fresh tendency, a fresh outlook on life and life's problems, and has become to-day a protagonist of nationalism, a defender of the rights and privileges of the people.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I want to know whether you would ask us to answer these things. Don't you think that estimates of money require more sober calculation and sober talking?

Mr. SPEAKER: I have already expressed my view on this point. The position is that we are discussing the supplementary estimates, and, as a matter of fact, when we were discussing the Governor's speech I had already explained that members should confine themselves to the subject-matter before them. The difficulty is that one does not absolutely confine himself to the same subject. I would request the honourable member to consider if, in view of the prevailing atmosphere, he would consider the necessity of restraining himself while speaking, because if he speaks in this fashion and they also speak in this fashion, I do not know what the atmosphere will be? You must wait till the report of the Disturbances Enquiry Committee is published and placed before the public, and then it will be time for you to criticise as to what has happened or what has not happened. I would, therefore, request you not to dwell at length on this subject now.

Janab Syed BADRUDDUJA: Sir, I bow down to your ruling.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I wish to point out that this House having passed an enactment creating this Commission of Enquiry to find facts, how can it or any member thereof simply brush aside that fact and indulge in bitter comments, invectives and untruths which are only meant to create mischievous effects outside? If any member does so, he does it because he is an important limb of the coterie of mischief-makers (uproar).

Janab Syed BADRUDDUJA: Restrain your tongue.

Sj. SIBNATH BANERJEE: Ravings of the mad man must stop (uproar).

Mr. SPEAKER: Order, order. I won't allow these things to go on.

Janab MD. KHUDA BUKHSH: On a point of order, Sir. The Hon'ble Minister was trying to comment on your admonition administered to an honourable member for which there was no need. In the course of his speech he used the word "untruths"; but there was no untruth.

Mr. SPEAKER: The position is this. Janab Syed Badrudduja was speaking. He had been interrupted. Now I ask Mr. Badrudduja to go on with his speech and finish it. If any member wants to make any comment, he will have sufficient time to do so later.

Sj. SIBNATH BANERJEE: May I request the Leader of the House through you, Sir, to restrain his gang.

Mr. SPEAKER: Order, order.

Janab Syed BADRUDDUJA: I bow down to your ruling, Sir. I am extremely grateful to you for pulling up Mr. Niharendu Dutt-Mazumdar. As regards myself if I am wrong, Sir, you will correct me, because you are the custodian of the rights and privileges of this House. I will only refer to fact that in my absence certain personal invectives have been indulged in. Sir, I can understand dishonest journalism—I treat these dishonest aspersions with supreme contempt—masquerading under a false name casting mean aspersions on me. But I can never understand responsible leaders of public opinion posing as great Ministers stooping down so low as that. Sir, I want you to correct the irrelevancy, insanity and mental aberration of the representatives of the people over there.

Sir, coming to the Police budget I must once again emphasise that the Police administration has failed. I, therefore want that this Police budget should be thrown out. Not one single item of this Police budget should be granted. We have already made enough provision, we have empowered them in every possible way to curtail the civil liberties of people and to deprive the people of their rights under the Constitution. Sir, under the Constitution the present Government have got to protect us. If they cannot protect us, let them declare from the housetop that the Constitution has been scrapped, that Pandit Nehru's stand has to be discredited. Sir, we are grateful not to this Government, but to the Prime Minister of India for holding up the honour, integrity and dignity of the Constitution even in the Nasik Congress. We are grateful to him. I would appeal to every Muslim, every Hindu, every citizen of the State to rise to the height of the occasion and strengthen the hands of the great Prime Minister of India for protecting the lives, liberty, honour, privilege and prestige which the Constitution provides equally to all sections of people both here as well as outside.

The Hon'ble BHUPATI MAJUMDAR: Amen!

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I just want to refer to one or two points. Mr. Charu Chandra Bhandari has referred to the fact that we have not been able to bring in any enactment for looking after the migrant's property. The position is that the West Bengal Government had already drafted an Ordinance some two and a half months ago and wanted to bring in this legislation, but the difficulty was that the two Central Ministers, Mr. Malik and Mr. Biswas wrote to us conjointly not to proceed with the legislation till they have cleared up this point with the Central Government. Therefore, our hands are tied, because this legislation has to follow the Delhi Pact and the Delhi Pact enjoins that when the two Ministers give any direction, the Provincial Governments have to accept that.

Sir, with regard to the other point which was referred to by my friend Mr. Kanai Lal De regarding roads, etc., we are trying to provide as many roads as possible with our meagre resources, and his suggestions with regard to his district will be, I am quite sure, taken charge of by the Civil Works Department. Sir, I do not know whether I need refer to any of the

points raised by my friend Mr. Sibnath Banerjee at this stage. He is an expert in finance; I am not. He is an expert in law; I am not. And, therefore, I plead guilty to all the charges that have been levelled against us of having done something which is illegal and having asked for something which we should not have asked.

Sj. SIBNATH BANERJEE: On a point of order, Sir. You have given your ruling and you have said that it is in order. How can I then say anything illegal?

Mr. SPEAKER: That is no point of order.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I think Mr. Speaker will be able to check me when I really need checking. Sir, I feel that there are occasions when fools rush in where angels fear to tread. In the case of high finance there are certain things which one does not understand, and, therefore, can freely criticise. For instance, in many of these items which have been there in the supplementary budget, there are items which, if he had taken care to see, were in the original budget, but the money could not be spent from the original budget for some reason or other and had to be re-introduced because it could not be spent without the fresh sanction of the Legislature.

My friend Mr. Badrudduja has referred to the cost of the Police in past years and the cost of the Police now. If he had taken a little more care as he is accustomed to take, he would have seen—I am speaking from memory and if I am wrong he will correct me—that during the years 1942-46 besides the Police budget there was another budget called the miscellaneous budget from which a larger share of the Police expenditure used to be met. The position, as I shall explain by taking the items one by one, is somewhat different today, and I hope I shall be able to satisfy every member here when I am talking on the Police budget because that is my subject, that the items are not only emergent but are perfectly justified. I do not want to proceed on the lines on which Mr. Badrudduja chose to proceed. I can quite well see that he is a frustrated man—frustrated from various points of view. He feels that this is a degenerate Government, an irresponsible Government, an uncultured Government—whatever it is. Sir, if he can find heaven anywhere else in the world, he can do so. All that I could do was that I had worked hard, and I am prepared to work hard and to give the results of my hard working. No more can I promise to him, nor can he expect anything more from any reasonable person. I believe talking is not the proper thing for the day: it is working which is more important. And those who have eyes will see what work is being done and those who refuse to see will remain blind for all times.

The Hon'ble NALINI RANJAN SARKER: স্যার, যে discussion এখানে হচ্ছে, আমি মনে করি না, বাস্তবিক বাজেটের কোন general discussion হচ্ছে। অনর্থক কতকগুলি বিষয় ছাড়া বাজেট সম্বন্ধে কোন discussion এতে নাই। এ সম্বন্ধে আমার একটা গল্প মনে পড়ছে--গত কয়েকদিন আগে আমরা কয়েকজন মিলে, আলাপ করছিলাম, মুখ্য মন্ত্রীমহাশয় তখন বলেছিলেন--এবার শিব এবং খোদা যখন একসঙ্গে কাজ করছে তখন দেশের মঙ্গল হবে। এবং আমারও ধারণা হয়েছিল, সত্যিই কিছু মঙ্গল হবে। এখন দেখছি প্রথম চেষ্টা হল কি করে bluff দিয়ে বাজেট ফেলে দেওয়া যায়,—তারা সেই চেষ্টা করেছেন। তাদের মধ্যে একজন হচ্ছেন Master of Parliamentary Practice এবং আর একজন বাজেটের সব কিছু জানেন বটে কিন্তু বাজেটের বলাচটাও পড়ে দেখেননি। এবং তাই বলেছেন যে যে টাকাটা আমরা খরচ করে ফেলেছি, সেই টাকাটাই এখানে চাইতে এসেছি। (Janab MD. KHUDA BUKHSH: আপনারা তাহলে কি কিছুই এর ভিতর খরচ করেননি?) সেদিন আমি এত রকম করে চেষ্টা করেছি--ওদের বুঝার জন্য, যে বাজেটে এই যে টাকাটা চাইছি সেটা আপনাদের complaint অনুসারেই Constitutional বিধিবদ্ধ

করে দিয়েছেন যে, Councilএর sanction ছাড়া, কোন expenditure করবার, আমাদের কোন ক্ষমতা নাই। সুতরাং Mayne's Parliamentary Practice কেবল না পড়ে, আপনাদের নিজেদের Constitutionটার ১, ২, ৩, ৪, ৫, ৬ ইত্যাদি sections যদি পড়তেন, তাহলেই এটা ভাল বুঝতে পারতেন। টাকাটা আমাদের হাতে এখনও রয়েছে। খরচ হয়ে যায়নি। এই টাকা খরচ করার আগে, একটা বিল পাশ করাতে হবে। নূতন Constitutionএ গভর্ণমেণ্টের পক্ষে, টাকা খরচ করাটা, অত্যন্ত difficult করে দিয়েছে; আগেকার Constitution অনুসারে গভর্ণমেণ্ট টাকাটা খরচ করে, পরে আপনাদের sanction নিতে আসত, সেইটা আপনাদের complaint ছিল, সেই complaint অনুসারেই, Constitutionএ, যে ব্যবস্থা হয়েছে, তাতে আগে টাকাটা খরচ করে, পরে Councilএ এসে, সেটা পাশ করিয়ে নেবার উপায় নাই।

Mr. SPEAKER: General discussion is over, and now we proceed with the demands for grants.

DEMANDS FOR GRANTS.

7—Land Revenue.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 9,16,000 be granted for expenditure under the head "7—Land Revenue" during the current year.

Now, there are four items with reference to which this demand is going to be made. The first item relates to the Management of Government Estates: the additional grant is required to meet the cost of repairs to roads and bridges in Khas Mahal area in Darjeeling damaged by the landslides (1,00,000) and of purchase of the Nayabasan estate in the Midnapore district belonging to the Maharaja of Mayurbhanj, (3,00,000). The second item relates to Survey, Settlement and Record operations: the additional grant is required to meet the cost for implementation of the new set-up (1,88,000) and also cost of acquisition of land for the newly established Survey School for West Bengal at Bandel in the district of Hooghly (93,000). The third item relates to Land Records: the additional grant is required to meet extra cost for implementation of the new set-up. The fourth item relates to the Development Programme: the additional grant here is required to meet the cost of final publication and printing of the settlement records-of-rights and maps of the Bongaon and Gaighata police-stations in the district of 24-Parganas. It has been alleged by Sri Sibnath Banerjee on the basis of a misreading of May's Parliamentary Practice and Procedure that supplementary grants cannot be demanded except for new items of expenditure. I had been Mr. Banerjee's colleague for years past in this and the previous Legislature and it is for the first time I find that Mr. Banerjee is referring to May's Parliamentary Practice and Procedure. (Sj. SIBNATH BANERJEE: Quite correct.) and it is only natural that he will make mistakes in reading May's Parliamentary Practice and Procedure. After all, we are now not much concerned with May, Redlich, Illbert or Jennings. We are now more concerned with a certain definite constitution—the Constitution of India. The Constitution of India, so far as Article 205 is concerned, requires that supplementary estimates will have to be brought for additionnal expenditure as well as expenditure which are in excess of the amounts provided in the Budget, and also for new items of expenditure, i.e., new services. Under Article 205 this Supplementary Budget, therefore, provides for items of excess expenditure as well as for new expenditure which could not be thought of at the time the Budget was framed. Mr. Sibnath Banerjee should read our Constitution more carefully than

May's Parliamentary Practice and Procedure which is outmoded now. He may not be impressed with our independence but he ought to know that British practice is now superseded by the new Constitution of India which has been promulgated this year.

With these words, Sir, I move my motion for the acceptance of the House.

Sj. SIBNATH BANERJEE: Sir, I want to draw your attention to the fact that the Hon'ble Minister was addressing me instead of addressing the Chair. Did he mean that you should read the Constitution? He has repeated it three times—"you should read the Constitution".

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Persons, Sir, who are ignorant of our Constitution and who are making their first attempts to lisp in May's phrases ought to take more care to understand things. That is the point I was going to make.

With these words I move that the demand be granted.

Sj. SIBNATH BANERJEE: The Hon'ble Minister was a little irrelevant when he was speaking of this because the point was set at rest by your ruling.

কিন্তু দিল মেরেছেন, ইট্-পাট্কেল দু-একটা খাবেন তো?

এটা সত্যি কথা যে ১২।১৩ বছর এখানে আছি, May's Parliament Practice জানতে হয় না। যেটা হবেন রায় চৌধুরী ম'শায় ও অন্যান্য নেতারা করতেন এদিকে বসে, তাঁরা যে সমস্ত অস্ত্রশস্ত্র ব্যবহার করতেন against the Government of that time, আমাকেও খুঁজে খুঁজে সেই সব অস্ত্র ব্যবহার করতে হচ্ছে (loud laughter)।

যে May's Constitutionএর বই আপনারা পড়েছেন তার প্রথম কথা হচ্ছে স্পীকারকে address করতে হয়। কিন্তু একথাটাও তাঁরা শিখেননি ১৪ বছর এখানে থেকে। এমনি তাঁদের জ্ঞান। এর মত হাস্যকর জিনিষ আর কখনো দেখিনি, তাঁরা আবার Mayর Parliamentary Practiceএর Rules দ্বারা guided হতে চান। কিন্তু সেটা এখানে applicable হয় না। Constitutionএও যদি পরিষ্কার করে না থাকে তাহ'লে অন্যান্য দেশের মত British Parliamentএর traditionকেই আমাদের follow করতে হয়।

The Hon'ble Rai HARENDRA NATH CHAUDHURI : আমি বলতে পারি Constitutionএ ওটা পরিষ্কার করা আছে।

Sj. SIBNATH BANERJEE : Constitutionএ পরিষ্কার করা নাই। সেকথা না বলা থাকলেও যেটা emergency, যেটা unforeseeu, unforeseeable, সেটা আপনারা করতে পারেন।

The Hon'ble Rai HARENDRA NATH CHAUDHURI : না, তা নয়। আপনি ভুল বলছেন।

Janab MD. KHUDA BUKHSH: On a point of order. Can the Hon'ble Minister make two speeches on the same subject?

Mr. SPEAKER : I am very sorry the debate has degenerated a bit—the question of what should be read and what should not be read. After all it is not a school. The position is that according to the New Constitution no money can be spent without a budget having been passed by the House. I would request the members not to cast aspersions on each other.

Sj. SIBNATH BANERJEE : Mr. Speaker, Sir, যখন আমি এই কথা বলতেছিলাম তখন প্রধান মন্ত্রীমহাশয় বলতে আরম্ভ করেন। আমি এই কথা বলছি যে আপনার rulingএর পরে তাঁর এই কথা বলা—It is insulting to you and to the Chair. আপনার rulingএর পরে একথা বলি যে আমি ভুল করেছি। Then the point is set at rest.

Mr. SPEAKER : Now you come to Land Revenue.

Sj. SIBNATH BANERJEE : এতে বলা হয়েছে খাসমহল সম্বন্ধে এবং "purchase of the Nayabasan Estate in Midnapore District belonging to the Maharaja of Mayurbhanj." এটা কেন করা হয়েছে। তার কারণ খুজে পাচ্ছি না। জমিদারী প্রথা তুলে দেওয়ার জন্য চারিদিক থেকে যখন আওয়াজ উঠেছে, তখন তাড়াতাড়ি ময়ূরভঞ্জের রাজাকে ৩ লক্ষ টাকা পাইয়ে দেবার জন্যই কি এটা করা হয়েছে? কোন কোন প্রদেশে rehabilitationএর জন্য উদ্বাস্তুদের সামান্য টাকা দেওয়া হবে—কিন্তু তাদের জমি দেওয়া হবে না। তাড়াছড়া করে ময়ূরভঞ্জের এটা কেনার কি দরকার হ'ল জানি না। জমিদারী প্রথা লোপ করে সমস্তগুলো তাঁরা নিতে পারতেন compensation দিয়ে। কিন্তু তা না ক'রে এইভাবে at the fag end of the year তাঁরা sufficient notice না দিয়ে এটা করছেন। এর পেছনে নিশ্চয়ই কোন সয়তানী রয়েছে। জমিদারদের back-door দিয়ে কোন রকমে বাঁচান এই টাকা দিয়ে।

Janab MD. KHUDA BUKHSH: On a point of order. Is সয়তানী parliamentary ?

The Hon'ble Dr. BIDHAN CHANDRA ROY : ওর কাছে সবই সয়তানী।

Mr. SPEAKER : He has not called any member "shaitan" of course, the word is not very happy but to say this is absolutely unparliamentary is not correct.

Sj. SIBNATH BANERJEE : আচ্ছা, আমি "সয়তানী" কথাটা withdraw করছি এবং তার বদলে "চক্রান্ত" বলছি। অতি হীন ও কুট চক্রান্ত এর পিছনে রয়েছে। (The Hon'ble Dr. B. C. ROY : ওতে কিন্তু এসে গেল না।)

(At this stage the blue light was lit.)

আর মাত্র দু-তিন মিনিট দিন। (A VOICE : কেন, আরও বলুন।) আপনারা তাহ'লে সহ্য করতে পারবেন না।

Land Revenue সম্বন্ধে কিছু বলবো। আজ অন্যান্য প্রদেশে landএর যেভাবে improvement করার চেষ্টা হচ্ছে, land-army করে, সেই land-army করে আমাদের দেশেও land improvementএর চেষ্টা করা দরকার। I think it comes under Agriculture. (A VOICE : ওটা Agriculture এর ভেতর আসে।) আচ্ছা, land army সম্বন্ধে আমি পরে বলবো। (Loud laughter.)

Mr. SPEAKER : Order, order. The motion will now be put.

Sj. SIBNATH BANERJEE : ময়ূরভঞ্জের ওটা কেন নেওয়া হ'লো, সে সম্বন্ধে কোন উত্তর মন্ত্রীমহাশয় দেবেন না? (No, no, from the Treasury Benches.) তাহ'লে কি আমার অভিযোগ সত্য? (A VOICE : হাঁ, সত্য।)

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, the Nayabasan Estate has been found to be a much more profitable estate than ordinary estates because it contains a large forest area and it is important also as lying on the border of West Bengal and Orissa. We have considered it, therefore, profitable to take that estate. It is within Midnapore on the border of West Bengal and Orissa and therefore we have considered it necessary also to purchase it. No other item has been questioned and therefore calls for a reply.

The motion of the Hon'ble Rai Harendra Nath Chaudhuri that a sum of Rs. 9,16,000 be granted for expenditure under the head "7—Land Revenue" during the current year was then put and agreed to.

10—Forest.

The Hon'ble HEM CHANDRA NASKAR: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,00,000 be granted for expenditure under the head "10—Forest" during the current year.

মাননীয় স্পীকার মহোদয়, "10—Forest" এই খাতে বর্ত্তমান বৎসরের খরচের জন্য আমি ২ লক্ষ টাকা দাবী উপস্থিত করছি।

Sj. SIBNATH BANERJEE : আমার বাজেট বক্তৃতায় আমি এই কথাই বলেছিলাম Forest Department থেকে কেন বেশী টাকা পান না। এটা খুব profitable হতে পারতো যদি railএর sleeper steel ব্যবহার না করে কাঠ use করা হয় এবং তাতে industrial progress তাড়াতাড়ী হোত। কিন্তু সেটা নিয়ে কেউই মাথা ঘামান নাই। সেটা অনেক আগেই চেষ্টা করলে করতে পারতেন। তা করেন নাই। এতে ৫ লক্ষ টাকা লাভ হবে। এই বাজেটের মধ্যে এইটা দেখে খুব খুসী হয়েছি যে একটা ভাল কাজ করতে তারা রাজী হয়েছে।

The motion of the Hon'ble Hem Chandra Naskar that a sum of Rs. 2,00,000 be granted for expenditure under the head "10—Forest" during the current year was then put and agreed to.

29—Police.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, on the recommendation of His Excellency the Governor, I move that a sum of Rs. 48,62,000 be granted for expenditure under the head "29—Policee" during the current year.

Sir, as questions have been raised by experts on the floor of the House whether one should bring in an estimate before the House on a particular matter and under what circumstances he can do so, I need read only section 205(1)(*a*) which forms our Constitution and which says: "If the amount authorised by any law made in accordance with the provisions of Article 204 for having the general budget to be spent for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year or (*b*) if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year the Governor shall cause to be laid before the House or the Houses of the Legislature of the State a statement, etc....." in pursuance of which this demand is placed before the House. This estimate of Rs. 48 lakhs is based mainly upon four items. We have increased the number of our armed police force by two battalions, one for Calcutta and one for mofussil areas. If anybody still remembers the horror and the trouble through which we had passed during the months of February, March, April and part of May he will remember why the police were sought for by all communities and help was asked for giving them protection and he will also recall that on the 27th March the condition in Howrah was such that the Government of West Bengal had to ask the military to take charge of that area. It was impossible for the police stretched as they were to continue working for more than 48 to 72 hours at a stretch, and the military had had to take over charge; and nobody could deny that with that extra force added—force which had strength as well

as reserve power—the whole aspect changed, and I will say without contradiction that this averted a great catastrophe in this great province of West Bengal. The military had since told us that they were not inclined to give their military force for the purposes of police work. Occasions may arise when the military will have to take complete charge, although they are not ordinarily anxious to come to the aid of civil power. Therefore the Government of West Bengal thought that it was necessary to strengthen its ordinary armed force and two more battalions were added, for which the recurring and non-recurring expenditure comes up to nearly Rs. 30 lakhs out of this Rs. 48 lakhs.

Again, Sir, during the end of March or beginning of April when the military were asking us whether they could withdraw their forces because they did not want to continue to operate in that area, we had to ask the Bihar Government to lend us a battalion, and they very kindly gave us one battalion almost on the spur of the moment. I hereby acknowledge with gratitude the help which a sister State gave us in the time of extreme peril of our State and for which they deserve our warmest thanks, They were deployed both in the town as well as in the districts, and the cost we had to bear on that account amounted to Rs. 11,36,000.

The third main item in this 48 lakhs of rupees, is an item of Rs. 2 lakhs for the purchase and maintenance of wireless equipment. Probably, the House is aware that along the border areas we have got more than 120 police pickets at a distance of five miles or 4½ miles one after the other, but it was found particularly during the difficult period of March, April and May that it was impossible for the police pickets to function properly, because there were no roads by which to communicate from one picket to another, nor could they function effectively because there was no means of communication between police pickets in the border and the police thanas, and the result was that although we had the pickets it was difficult for us to maintain law and order which we wanted to be secure in those districts. Therefore we had to buy wireless apparatuses and put in a large number of wireless appliances between the police pickets of the border on the one hand and thana pickets on the other hand.

The other item is a sum of Rs. 5 lakhs for National Volunteer Force. During the period I have just been speaking about, i.e., during the months of February, March, April and May when the police forces were stretched to the extreme it was necessary for us to deploy a certain number of Volunteer Force to help the border police. It was then arranged that for each picket of six policemen there will be 12 members of the Volunteer Force attached to each of these pickets. Similarly, we had to get the Volunteer Force to help the police to restore order in different parts of the State. Nobody who has been in the thick of it, nobody who has the experience of what the problem of law and order was like during those months could easily imagine through what stress we had to pass, what difficulties we had gone through and what calamity and catastrophe we have avoided with the help of Providence and with the help of those who were the well-wishers of this State. This five lakhs of rupees is not an item which was contemplated or foreseen in the month of December or January when the previous budget was framed. Nobody at that time contemplated that this State would be simply in the thick of the cauldron of fire of communalism, and therefore it was not possible for anyone to contemplate the expenditure on this item. I am one of those who have, in the past like my friend Mr. Sibnath Banerjee and others, been a critic of the police, but I do say that there is a difference between criticising and administering, I have found that barring the fact that there are some policemen who need warning here and there, some policemen who require to be told how to behave under certain difficult circumstances, there are many who are very useful as

protectors of life and blood. It may be that the police force is not what we expect it to be today, but is it argument therefore to let us have now no police force? The gentlemen who has waxed eloquent was of a different mind in February and March because he and others came to me for help and for giving police protection when they were moving about from one place to another. How can I give them police protection unless I have the personnel for that purpose. Therefore I do confidently suggest that this demand of Rs. 48,62,000 is a demand which is very reasonable and if you want to protest this State from known and unknown enemies it is impossible for us to do so unless we have an adequate police force at our back.

With these words, Sir, I move that the demand of Rs. 48,62,000 be sanctioned under the head "29—Police".

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, Dr. Roy একটা খুব সারগর্ভ কথা বলেছেন।

Mr. SPEAKER: Are you moving your cut motion, Mr. Banerjee?

Sj. SIBNATH BANERJEE: Yes, if it is in order I was told that a cut motion of a general nature is not in order. If it is in order, I shall move it.

Sir, I beg to move.....

Mr. SPEAKER: No, no, it is out of order and you cannot move it now. You could do so when the demand was moved.

Janab MD. KHUDA BUKHSH: Sir, you have just ruled that a cut motion is out of order because it has not been moved after the Chief Minister moved his demand. I want to know whether on account of that only it is out of order.

Mr. SPEAKER: I think the reason that you cannot move it now does not hold good. Therefore I say if you wish to move it I won't stand against your wishes.

Sj. SIBNATH BANERJEE: Yes, I move.

I beg to move that the demand of Rs. 48,62,000 for expenditure under the head "29—Police" be reduced by Rs. 100, and I do so to raise a discussion about the denial of civil liberty.

Dr. Roy একটা খুব সারগর্ভ কথা বলেছেন। Fools rush in where Angels fear to tread. তিনি আমাকে যে পরামর্শ দিয়েছেন সেটা তিনি নিজেই ভুলে গিয়েছেন। তিনি নিজেই বলেছেন যে তিনি law সম্বন্ধে expert নন, finance সম্বন্ধে কিছুই জানেন না। এটা সত্য কথা। এটা তিনি বিনয় করে বলেন নাই। যদি বল্‌তেন যে ডাক্তারী সম্বন্ধে তিনি কিছুই জানেন না তাহলে বলতাম তিনি বিনয় করে বল্‌ছেন।

Mr. SPEAKER: I think as honourable members you must not indulge in personal recriminations.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I did not say that he was a fool.

Mr. SPEAKER: The position is that you should avoid casting reflections either from this side of the House or from that side.

Sj. SIBNATH BANERJEE : Sir, the Hon'ble the Chief Minister has now showed me a courtesy by making this statement which I accept. তিনি যখন lawএর

কথা বলতে গেলেন—শ্রীযুক্ত হরেন রায় চৌধুরী গেলেন না but he rushed in. হরেন বাবুর মত expert—আইন পরিষদে ১৪ বৎসর ধরে practice করা সত্ত্বেও উত্তর দিতে হিমসিম্ খেয়ে গেলেন সেইখানে কিনা Dr. Roy গেলেন উত্তর দিতে।

Mr. SPEAKER: I think we are not discussing the procedure and the point of order which had already been discussed. Now there should not be any reference to that.

Sj. SIBNATH BANERJEE: Messrs. Rai Chaudhuri and Dutt-Mazumdar were restricted but when the Chief Minister made the remark he was not. It was when Mr. Khuda Bukhsh had his doubts as to the circumstances under which you can refuse supplementary estimates I thought I would read out the section. I have not called anybody a fool but I have been called a fool by implication.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, what I said was, "Fools rush in where angels fear to tread". I never called him a fool.

Mr. SPEAKER: Mr. Banerjee, you raised a point of order and I have given my ruling and so the matter had ended.

Sj. SIBNATH BANERJEE: But others are raising it

যা নাকি প্রধান মন্ত্রী পড়েছেন, তার পরে কত আছে, কত হচ্ছে, শেষ কোথাও নাই। Parliamentary system of practice কম জানেন একথা ডাক্তার রায় সম্বন্ধে বলার ধৃষ্টতা আমার নাই। তবে parliamentary বিষয় সম্বন্ধে পণ্ডিত নই। কিন্তু Oppositionএ একা পড়ে যাওয়ার দরুণ এখন একটু পড়তে হচ্ছে। এবং এটা দেখতে পেয়েছি যে Supplementary বাজেটে কোন জিনিষ আনা সম্বন্ধে যথেষ্ট restriction রয়েছে।

Janab MUDASSIR HOSSAIN: On a point of order, Sir. This gentleman is talking nonsense and it is high time that we go home.

Sj. SIBNATH BANERJEE: Will the honourable member withdraw his remark or let him come on and I shall show him sense

Mr. SPEAKER: The word "nonsense" is not unparliamentary.

Janab MD. KHUDA BUKHSH: The word "nonsense" may be parliamentary but to point out a certain member who is on his legs and address him and say "nonsense"—is that in order?

Mr. SPEAKER: He has been pulled up for that. A certain amount of concession may be given to a man like Mr. Mudassir Hossain.

Sj. SIBNATH BANERJEE : All right Sir, We can give some concession to the ravings of a man like Mr. Mudassir Hossain.

যাক, এখন পুলিশ বাজেট সম্বন্ধে এবার কিছুটা বলব। (The Hon'ble Dr. BIDHAN CHANDRA ROY আরও ১৫ মিনিট নেবে?) স্পীকার যতক্ষণ সময় দেন, বলব। পুলিশ বাজেট সম্বন্ধে আমি বলতে চাই যে, বদরুদ্দজা সাহেবের সঙ্গে আমি সম্পূর্ণ একমত যে পুলিশ fail করেছে। কিন্তু তিনি শুধু আগেরটাই বলেছেন। যদি পরের ব্যাপারটাও বলতেন তাহলে আরও খুশী হতাম। পুলিশ fail করেছিল সন্দেহ নাই। ডাঃ রায়ও বলেছেন যে পুলিশ fail করেছিল। কিন্তু তাঁর মতে, ২৪ ঘণ্টা বা ৪৮ ঘণ্টা কাজ করেছিল বলেই fail করেছিল এটাত সত্য নয়। সত্য হল এই যে মেজরিটী অত্যন্ত communal হয়েছিল। অবশ্য সকল পুলিশই নয়। হাওড়ার ব্যাপারে আমারও কিছু হাত ছিল। আমি যথেষ্ট চেষ্টা করেছি এবং সেজন্যই ডাক্তার রায় মিলিটারী আনিয়েছিলেন, সেজন্য তাঁর কাছে কৃতজ্ঞ। পূর্ববঙ্গ থেকে যারা বাস্তুহারা হয়ে এসেছিল, তাদের মনের মধ্যে যথেষ্ট রাগ ছিল। সে সময় তাদের সেখানে রাখলে, অনেক অসুবিধাই হতো। বাংলা দেশের পুলিশের অব্যবস্থার জন্য এইটা হয়েছিল। বাংলাদেশের পুলিশের চেয়ে বিহারের পুলিশ অনেক বেশী নিরপেক্ষ ছিল। তারাই

saved the situation. তারপরে যখন পারেনি, তার জন্য পুলিশের দোষ নাই। আমি কৃতজ্ঞতার সঙ্গে স্বীকার করছি, যেকথা একটু আগেই স্বীকার করেছি। প্রধান মন্ত্রী হিসাবে ডাঃ রায় যতটা করবার ছিল, তাতে কার্পণ্য করেননি। পুলিশদের মধ্যে যাদের দোষ ছিল, তাদের departmentally punishment দিয়েছেন, একজনকেও spare করেননি। দোষী অফিসারদের একজনও সেখানে নাই, সকলেই transferred হয়েছে। তাদের মধ্যে কয়েকজনের উপর case ও করা হচ্ছে এবং কয়েকজন বোধ হয় punished ও হয়েছে। তবে আজকে প্রধান মন্ত্রীমহাশয় যা বলেছেন তা ঠিক বলেননি। এবং আজকে সেই পুরানো জিনিষটাকে যদি টেনে আনতে হয়, তাহলে অনেক কথাই খুলে বলতে হয়। পুলিশ যদি না যেতো, তাহলে কতটা কি ঘটতো না ঘটতো, সেটা controversial affair. Barbarity কম হতো কি বেশী হতো, সেটা তর্কের বিষয়। Bengal Government তাদের duty পালনে struggle করেছে।

(Janab Syed Badrudduja was muttering something from behind.)

Mr. SPEAKER : I do not think there should be any running comment by any Member of the House while a speech is being made.

Sj. SIBNATH BANERJEE : I do not mind any comment either from this side or from the other. That side interrupts more.

আমি এই কথা বলতে চাই—পুলিশ বাজেটের এই সুযোগে যে, সেখানে যে পুলিশ fail করেছে, এই প্রশ্নটা আজকে এখানে তোলা ঠিক নয়। কারণ যারা অন্যায় করেছিল তাদের এরা শাস্তি দিবার চেষ্টা করেছেন, একথা নিশ্চয় করে বলা যায়। সেদিন পুলিশ যে fail করেছিল সেটাতো হয়েই গেছে। কিন্তু আজকের পুলিশ কি করছে? আজকের পুলিশ শ্রমিকদের দমন করবার জন্য উদ্‌গ্রীব। কোথায় শ্রমিকদের ভিতর কে বলেছে dearness allowance চাই, অমনি সেটা হল subversive activity. আর সঙ্গে সঙ্গে এলে intern বা externএর পালা। অথচ যখন Security Actটা এখানে পাস করা হয়েছিল, তখন বলা হয়েছিল—Dr. Ghosh assurance দিয়েছিলেন, যে trade disputesএর উপর এটা প্রয়োগ করা হবে না। কিন্তু এখন দেখছি কি? শ্রমিকরা যদি পেট ভরে খেতে চায়, তাহলেই তার চাওয়াটা হয় subversive action, তার বিরুদ্ধে preventive measure নেওয়া হয়। যেটা আপনারা ৩০ বছর ধরে করে আসছেন সেটা যদি তারা করে, তাহলেই হয় subversive action. সুতরাং আজকের পুলিশ একেবারেই অকর্মণ্য। (The Hon'ble Dr BIDHAN CHANDRA ROY : না, তা নয়) এসময় তারা fail করেছে, Government তাদের controlএ এনেছেন অন্য provinceএর militaryর দ্বারা। যদিও নাম করা উচিত তবুও আমি বলব না। জগদ্দলের পুলিশ officerএর সম্বন্ধে প্রধান মন্ত্রীর নিকট অনেক অভিযোগ করা হয়েছে। শুধু তাই নয়, আর দু'জন Ministerও আছেন। তাঁরা বুঝে নেবেন—নিজেদের মনে মনে যে, কারা কারা তাঁরা। দরকার হলে তাদেরও নাম করবো পরে। আজকে শুধু বলতে চাই যাদের এখনও সরান হয়নি, যাদের বিরুদ্ধে অভিযোগ হয়েছে, তাদের trial হ'লে ভাল হয়। Minimum demand হল, তাদের সরান হোক। I.N.T.U.C.র অধীনে তারা union করছে, সেখানেও peace and tranquillity নষ্ট হচ্ছে। Kultiতে যারা better grade bonus চেয়েছে, সেজন্য তাদের হ'ল, subversive activity. সুতরাং গভর্ণমেণ্টের এই যেসব aggressive policy, সেটা না বলে পারছি না। এজন্য পুলিশ বাজেটে আর বেশী দেওয়া উচিত নয়।

Sj. SHEO KUMAR RAI: Main apka ziada samai lena naheen chata hoon serf 5 minute humko chaheay. Mera yer kahna hai ke agey ke samai men, angrezon ke samai men jo babastha tha ab naheen hai is sami men doosar babasta hai. Yeh hamara rashtra hai, hamari sarkar hai, jestarah ka siksha pahley policon ko deajata tha, ustarah ka siksha ab policon ko naheen diya jaiga. Mera kahney ka matlub yeh hai, ke jesperkar ka bichar police ka pahley tha, wah bichar ko badalna hoga. Main aj dekhta hoon ke corruption pakerney ke liey ek department khola hai, mager dekha jata hai ke sub say ziada corruption Police Department men hai. Police men jetna corruption hai utna kisi department men naheen hai. Ek hi number ki ghari Jalpaiguri jate main, Siliguri jati main aur Cooch Behar jati main

daur rahi hai aur Police ko 200, 300 rupea ghus diya jata hai aur Police chup rahatey hai. Ham log naheen pakersaktey hain, mager tamam log kahtey hain ke yeh horaha hai. Jistarah badal sey dhek janey ke karan ham surja ko naheen dekh saktey hain, per hum kah saktey hain ke surja wahan hai, isitarah corrupt practice ka proog naheen honey say bhi, hum kah saktey hain, ke corrupt practice hai. Unlogon ko yeh samajhua chaheay ke yeh hamara des hai, yeh hamara rashtra hai. Yeh sub samajhna chaheay. Jestarah doosrey mulkon men, France men, Europe men, ager koie mamuli admi Police ko kuch puchey to wah kharey hoker adab say bat kertey hain aur chaley jatey hain to adab say jatey hain. Maloon hota hai, ke apkey nanker hain.

Rashtra chalana bohut bari zimmadari hai, responsibility hai, yeh siksha Police ko dena chaheay.

The motion of Sj. Sibnath Banerjee that the demand of Rs. 48,62,000 for expenditure under the head "29—Police" during the current year be reduced by Rs. 100, was then put and a division taken with the following result:—

AYES—6.

Badrudduja, Janab Syed	**Mahammad Syeed Mia, Janab**
Banerjee, Sj. Sibnath	**Molla Mohammad Abdul Halim, Janab**
Khuda Bukhsh, Janab Md.	**Muhammad Idris, Janab**

NOES—37.

Abdullah, Janab S. M.	**Majhi, Sj. Nishapati**
Bandyopadhyay, Sj. Pramatha Nath	**Majumdar, The Hon'ble Bhupati**
Banerjee, Sj. Susil Kumar	**Mal, Sj. Iswar Chandra**
Barman, The Hon'ble Syama Prasad	**Mallick, Sj. Ashutosh**
Bhandari, Sj. Charu Chandra	**Mandal, Sj. Annadaprasad**
Bhattacharyya, Sj. Shyamapada	**Mandal, Sj. Bankubehari**
Chatterjee, Sj. Haripada	**Mandal, Sj. Krishna Prasad**
Chaudhuri, The Hon'ble Rai Harendra Nath	**Mandal, Sj. Umesh Chandra**
	Mookerjee, The Hon'ble Kalipada
Das, Sj. Radha Nath	**Murarka, Sj. Basantlal**
Das Gupta, Sj. Khagendra Nath	**Naskar, Sj. Ardhendu Sekhar**
De, Sj. Kanai Lal	**Naskar, The Hon'ble Hem Chandra**
Dolui, Sj. Harendra Nath	**Panja, The Hon'ble Jadabendra Nath**
Dutt-Mazumdar, The Hon'ble Niharendu	**Pramanik, Sj. Rajani Kanta**
Gayen, Sj. Arabinda	**Roy, The Hon'ble Dr. Bidhan Chandra**
Golam Hamidur Rahman, Janab	**Roy Singh Sarker, Sj. Satish Chandra**
Haldar, Sj. Kuber Chand	**Sarker, The Hon'ble Nalini Ranjan**
Mahanty, Sj. Charu Chandra	**Sen, The Hon'ble Prafulla Chandra**
Maiti, The Hon'ble Nikunja Behari	**Shamsul Huq, Janab**

The Ayes being 6 and the Noes 37, the motion was lost.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that a sum of Rs. 48,62,000 be granted for expenditure under the head "29—Police" during the current year was then put and agreed to.

Adjournment.

The House was then adjourned at 7-22 p.m. till 3-30 p.m. on Wednesday, the 4th October, 1950, at the Assembly House, Calcutta.

Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 4th October, 1950, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble ISWAR DAS JALAN) in the Chair, 11 Hon'ble Ministers and 55 Members.

STARRED QUESTIONS

(to which oral answers were given)

Smuggling in the south-eastern border of West Bengal.

***18. Sj. BEPIN BEHARI GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) if he is aware of smuggling in the south-eastern border of West Bengal, specially in Itinda, Hasnabad, Hingalgunge, Shahebkhali and Bagna, and through the rivers Ichhamati and Kalindi; and

(*ii*) whether any cases regarding smuggling of paddy, yarn, salt and mustard oil have been instituted in the court of the Subdivisional Officer of Basirhat?

(*b*) If the answer to (*a*) is in the affirmative, what steps, if any, have the Government taken to stop the smuggling?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (*a*)(*i*) Yes.

(*ii*) Thirty-five cases for smuggling of foodgrains, yarn and textiles were instituted in 1949, and 4 cases for smuggling of yarn and textiles were instituted in 1950. A quantity of mustard oil was seized but no case could be started as the commodity was not controlled. No case of smuggling of salt has come to the notice of the authorities so far.

(*b*) Besides checks by Land Customs staff and border outposts and occasional raids, quotas of mustard oil for dealers in these particular areas have been fixed through the Circle Officers. Further, 15 smugglers were externed in 1949, and cases of 16 others are under examination by the District Magistrate now. As stated above prosecutions have been started in detected cases.

Alleged police assault on Sri Dayaram Beri, Vice-President, I.N.T.U.C.

***19. Sj. DEBENDRA NATH SEN:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that Sri Dayaram Beri, Vice-President, I.N.T.U.C., was assaulted by the Belliaghata police on the 13th January, 1950, in the afternoon near Gas Street?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the reasons for such action on the part of the police; and

(*ii*) whether any action has been taken against the police guilty of such assault?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy: (*a*) There was was no direct assault on him by the police.

(*b*)(*i*) Sri Dayaram Beri was coming, with about 400 workers who had been on strike, to the factory of the Oriental Gas Company, after an agreement had been reached between Sri Beri and the management of the firm. As the local officers of the firm had no intimation of this arrangement and as the workers were shouting slogans the gate of the premises was closed against this party. Some of the workers then threw stones into the premises. The police also had no information of the arrangement and the Flying Squad Police Officer on duty fired some tear gas shells to disperse the crowd. At this the crowd rushed towards Gas Street near Belliaghata thana. Constables from the thana made a *lathi* charge on the crowd, injuring some, mistaking their rush to be an attack on the thana. Sri Dayaram Beri was in the crowd. Hence he was injured along with some members of the crowd.

(*ii*) The police were not to blame in any way. The whole incident occurred only because the management at the company's head office did not send timely information of the settlement reached to the Joint Agent at the company's works.

Dr. SURESH CHANDRA BANERJI: Supplementary question, Sir—মাননীয় মন্ত্রীমহোদয় বলবেন কি এই কথা সত্য কিনা যে দয়ারাম বেরী ঐ অঞ্চলে অতি পরিচিত লোক। বেলেঘাটার পুলিশ তাকে খুব ভালভাবেই জানে। এবং তিনি যখন বেলেঘাটার থানার কাছ দিয়ে যাচ্ছিলেন তখন বেলেঘাটার পুলিশ এসে তাঁকে বারবার মারে এবং তার ফলে তিনি অত্যন্ত গুরুতররূপে আহত হয়ে প্রায় ১০ দিন বিছানায় পড়ে থাকেন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have no knowledge that the policemen knew him. Sri Dayaram Beri came to see me probably the day after this incident and showed me the injury. I did not consider that injury so very serious. In any case I enquired from the management of the Gas Company and they admitted their mistake in not informing their people at the Gas Works that an agreement had been reached. When the crowd went to the gate of the Gas Works, it was natural that the people—the warders—felt that it was an attack on the Gas Company's office, and I felt after making enquiries which I was able to, that it was a case of mistaken identity for which I apologised to Sri Dayaram Beri.

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রীমহোদয় এই যে বললেন যে assaulted হবার পর তিনি মাননীয় মন্ত্রীমহাশয়ের সঙ্গে দেখা করতে গিয়েছিলেন, সেটা কত দিন পরে?

The Hon'ble Dr. BIDHAN CHANDRA ROY: এই দু'একদিন পরেই।

Dr. SURESH CHANDRA BANERJI: আবার যতদূর মনে হয় তিনি তখন শয্যাগত ছিলেন, Medical College হাসপাতালে তাকে আমি দেখেছি।

Mr. SPEAKER: If you have got any information, you need not say so. If you want to know any information, you can ask about that from the Hon'ble Minister.

Dr. SURESH CHANDRA BANERJI: আমি মাননীয় মন্ত্রীমহাশয়ের কাছে জানতে চেয়েছি যে তিনি স্পষ্ট মনে রাখেন কি না, injury হবার কি দু'একদিন পরেই তার সঙ্গে দেখা করেছিলেন কি না?

Mr. SPEAKER: He has already said that.

The Hon'ble Dr. BIDHAN CHANDRA ROY: হাঁ, দু'একদিন পরেই।

Complaint of assault by Sudhansu Shekhar Mukherjee of 89/A, Ballygunge Gardens, Calcutta.

***20. Sj. SIBNATH BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether a complaint of assault, etc., was made by Sudhansu Shekhar Mukherjee of 89/A, Ballygunge Gardens, Calcutta, to the Officer-in-charge of Ballygunge police-station, against his landlord;

(*ii*) whether any enquiry was held into the complaint by the Assistant Commissioner of Police, South Suburbs, Calcutta, and, if so, what was the result of the enquiry;

(*iii*) whether any prosecution was launched and, if not, why not; and

(*iv*) whether the matter was brought to the notice of the Hon'ble Chief Minister either orally or by petitions?

(*b*) If the answer to (*a*) (*iv*) is in the affirmative, will the Hon'ble Minister be pleased to state what has been the result of the representation?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (*a*)(*i*) Yes.

(*ii*) The Assistant Commissioner enquired into the complaint and recommended that the landlord should be prosecuted. When the matter was finally taken up to the Deputy Commissioner for orders, the Deputy Commissioner did not agree with the Assistant Commissioner and ordered the case to be closed.

(*iii*) No prosecution was started in court. On further enquiry it was found that there was no landlord-tenant relationship between the house-owner and Sri Sudhansu Shekhar Mukherjee. The complainant also failed to make out a case for assault. Hence the police decided to close the case.

(*iv*) Yes, a petition was received by the Hon'ble Chief Minister.

(*b*) Prior to the receipt of the petition by the Hon'ble Chief Minister, the petitioner had filed a petition to the Home Secretary. He was informed that the police considered that the case instituted by him was not one which they should send up to court. As the subject-matter of the petition made to the Hon'ble Chief Minister was identical with that of the petition filed before the Home Secretary, which had been fully dealt with, no further action was taken on the petition filed before the Hon'ble Chief Minister.

Sj. BIMAL COMAR GHOSE: With reference to answer (*iii*) will the Hon'ble Minister be pleased to state if Sri Sudhansu Shekhar Mukherjee was not the tenant, then what was he there in that house for?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I enquired into the case personally, and as far as I remember this gentleman was only a relation or a friend of the person who was really the tenant.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state the reasons why the Assistant Commisioner thought fit that the case should be proceeded with and why the Deputy Commissioner thought it otherwise?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot state the reasons. That must have been made on the evidence they had.

Baraset-Basirhat Light Railway.

***21. Sj. BEPIN BEHARI GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Home (Transport) Department be pleased to state if it is a fact—

(*i*) that there is no easy means of communication except by the Baraset-Basirhat Light Railway to go to the extreme south-east frontier of West Bengal from Calcutta; and

(*ii*) that it takes 10 to 12 hours by the railway to go to the border from Calcutta, a distance of 40 miles?

(*b*) If the answers to (*a*) are in the affirmative, do the Government consider the desirability of moving the Government of India to take over the Railway under the control of the State?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (*a*)(*i*) No.

(*ii*) No. It takes 4 to 5 hours by rail.

(*b*) Does not arise. However, the Government of India have been moved in the matter. And I may inform the House that the Government of India and the Railway Board have got this point in their consideration at the present moment although they have not given me yet the final answer to this particular approach of taking over the Baraset-Basirhat Light Railway.

Sales-tax assessment of Messrs. Kesoram Cotton Mills, Ltd.

***22. Sj. SATISH CHANDRA CHAKRAVARTY:** Will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(*a*) whether there has been any interference with the course of the sales-tax assessment of the firm of Messrs. Kesoram Cotton Mills, Ltd., for the years ended March, 1945, to March, 1948;

(*b*) if so, the reasons thereof;

(*c*) if it is a fact that in June, 1948, the Commissioner of Commercial Taxes had ordered the officer who was dealing with the above case not to take any further action on the same;

(*d*) if so, the reasons for such order;

(*e*) if it is a fact that at any stage of the above case, all relevant files were taken away by the Commissioner of Commercial Taxes from the officer who was dealing with this case and subsequently returned to the same officer with instructions to proceed with it, and still later the officer was transferred;

(*f*) if so, the reasons for such conflicting decisions;

(*g*) whether the assessment of this case has been completed; and

(*h*) if so, with what result?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Nalini Ranjan Sarker): (*a*) and (*g*) No.

(*b*), (*f*) and (*h*) Do not arise.

(*c*) and (*d*) The proceedings were stayed by the Commissioner on the 26th June, 1948, pending enquiry by him into certain allegations against the assessing officer.

(e) The stay order referred to above was vacated by the Commissioner on the completion of the enquiry on the 6th August, 1948. The Commissioner called for the relevant files in connection with the said enquiry and returned the same to the assessing authority as the stay order was vacated by him on the completion of the enquiry. The officer was transferred on the 7th November, 1949, in the interest of the public service.

Sj. BIMAL COMAR GHOSE: With reference to answer (*a*) will the Hon'ble Minister be pleased to state if his attention has been drawn to a report in a weekly paper entitled "Jugabani" to the effect that both the Finance Secretary and the Finance Minister had interfered with this case in connection with the assessment?

The Hon'ble NALINI RANJAN SARKER: Certainly not.

Sj. BIMAL COMAR GHOSE: My question is whether his attention was drawn to the report published in the papers that there was interference.

The Hon'ble NALINI RANJAN SARKER: I do not call it a paper; it is a rag.

Sj. BIMAL COMAR GHOSE: That is not my question—whether it is a rag or a paper I am not asking for an answer on that question. I am asking whether the Minister's attention has been drawn to such a report.

The Hon'ble NALINI RANJAN SARKER: No.

Sj. BIMAL COMAR GHOSE: With reference to his answer (*c*) will the Hon'ble Minister be pleased to state, in view of the fact that the stay order was vacated and that it was sent back to the same officer to proceed with the case, whether it may be presumed that there was nothing against the officer?

The Hon'ble NALINI RANJAN SARKER: Yes.

Sj. BIMAL COMAR GHOSE: In view of the answer just now given, will the Hon'ble Minister be pleased to state as to whether it would not have been desirable that the same officer should have investigated into this case and completed his assessment before he was transferred?

The Hon'ble NALINI RANJAN SARKER: I do not agree.

Sj. BIMAL COMAR GHOSE: With reference to answer (*c*) and (*d*), will the Hon'ble Minister be pleased to state what were the allegations against the officer for which proceedings were stayed?

The Hon'ble NALINI RANJAN SARKER: I want notice.

Sj. BIMAL COMAR GHOSE: With reference to his answers (*a*) and (*g*), will the Hon'ble Minister be pleased to state when the assessment of this case had started?

The Hon'ble NALINI RANJAN SARKER: For that, I want notice.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if he has any idea as to how long the assessment has been proceeding?

The Hon'ble NALINI RANJAN SARKER: About two years.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state as to whether the assessment has by now been completed?

The Hon'ble NALINI RANJAN SARKER: No, it is still being pursued.

Sj. BIMAL COMAR GHOSE: Will he Hon'ble Minister be pleased to state if he can give any idea as to how long it will take to finish this case?

The Hon'ble NALINI RANJAN SARKER: It is very difficult to say now.

Sj. BIMAL COMAR GHOSE: With reference to his answer (*e*) will the Hon'ble Minister be pleased to state as to what he meant by saying that he was transferred in the interest of public service?

The Hon'ble NALINI RANJAN SARKER: What is written is the meaning—in the interest of public service he was transferred because he was for a long time in this post.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state as to how long this officer was acting in this post?

The Hon'ble NALINI RANJAN SARKER: Over two years.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state as to what is the usual period for an officer to be kept in a particular post and when he is usually transferred—after what period of service?

The Hon'ble NALINI RANJAN SARKER: Generally two years or three years when the departmental head thinks that he should be transferred.

Sj. BIMAL COMAR GHOSE: Is there any other consideration excepting the period of service which might come into consideration for decision of the fact as to when a particular officer should be transferred?

The Hon'ble NALINI RANJAN SARKER: There is no general rule.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state as to whether the period of service of this particular officer in this particular post was considered too long and as to whether he did not think that it would have been in the interest of justice that he should have continued to finish this assessment?

The Hon'ble NALINI RANJAN SARKER: The Commissioner thought otherwise.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state as to whether he had gone into the reasons given by the Commissioner for transferring him and if he was satisfied that those were sufficient?

The Hon'ble NALINI RANJAN SARKER: Yes.

Sj. ANNADA PROSAD CHOWDHURY: মাননীয় মন্ত্রীমহাশয় বলেছেন দুই তিন বছরের assessmentএর কাজ। কত দিনে এটা শেষ হবে? এসব caseএ সচরাচর কত দিন লেগে থাকে?

The Hon'ble NALINI RANJAN SARKER: বড় বড় caseএ, সময় একটু বেশী লেগে থাকে।

Sj. ANNADA PROSAD CHOUDHURY: এটা কি বড় case?

The Hon'ble NALINI RANJAN SARKER: হাঁ, পাঁচ বছরের assessment করা হচ্ছে।

Sj. ANNADA PROSAD CHOUDHURY: আমি জিজ্ঞাসা করছি—আর কতদিন লাগবে কাজটা শেষ হতে?

The Hon'ble NALINI RANJAN SARKER: এটা Sales Taxএর ব্যাপার, হাজার হাজার টাকা rebateএর প্রশ্ন রয়েছে, কাজেই সময় লাগছে।

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if this particular officer concerned here has been suspended or dismissed?

The Hon'ble NALINI RANJAN SARKER: Suspended.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state the reasons why he has been suspended?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That does not arise out of this question. We are prepared to give an answer for a proper question, not as a supplementary question.

Mr. SPEAKER: What is your question?

Sj. BIMAL COMAR GHOSE: There is a particular officer concerned here who had been entrusted with a certain enquiry. Then a stay order was passed on him; then papers were taken away from him and again sent back to him. It subsequently transpired that he was suspended. My question is if that is in connection with this case.

The Hon'ble Dr. BIDHAN CHANDRA ROY: There is no connection between his suspension and this case.

Mr. SPEAKER: So far as the reply is concerned it reads "The officer was transferred on the 7th November, 1949, in the interest of the public service." Do you mean to say that this very officer has been suspended?

Sj. BIMAL COMAR GHOSE: Yes.

Mr. SPEAKER: Whether this very officer has subsequently been suspended—is that your question?

Sj. BIMAL COMAR GHOSE: That is my question. I asked whether he was suspended.

The Hon'ble NALINI RANJAN SARKER: Yes.

The Hon'ble Dr. BIDHAN CHANDRA ROY: He has said "yes", but not out of this case.

Sj. KANAI LAL DE: অতিরিক্ত প্রশ্ন। মাননীয় মন্ত্রীমহাশয় বলবেন কি বিড়লার Sale Tax ব্যাপারে, কত টাকার enquiry হচ্ছে?

The Hon'ble NALINI RANJAN SARKER: কি করে বলবো বলুন?

Sj. KANAI LAL DE: অতিরিক্ত প্রশ্ন, "যুগবাণীতে" যে report প্রকাশিত হয়েছে, তার প্রতি মাননীয় অর্থনৈতিক মন্ত্রীমহাশয়ের দৃষ্টি আকৃষ্ট হয়েছে কি?

Mr. SPEAKER: Will you please speak a bit loudly, so that I can follow you.

Sj. KANAI LAL DE: "যুগবাণী" কাগজে যে রিপোর্ট ১৬ই মার্চ্চ (১৮ই মার্চ্চ?) তারিখে প্রকাশিত হয়েছে তার সত্যমিথ্যা সম্বন্ধে জানাবেন কি?

The Hon'ble NALINI RANJAN SARKER: যা ছাপা হয়েছে তার প্রতি গভর্ণমেণ্টের দৃষ্টি আকৃষ্ট হতেই হবে, তা আমি মনে করি না।

Sj. KANAI LAL DE: একটা কাগজে গভর্ণমেণ্ট সম্বন্ধে যদি এরূপ ছাপানো হয় তাহলে, গভর্ণমেণ্টের সুনাম নষ্ট হতে পারেতো?

The Hon'ble NALINI RANJAN SARKER: না, তার জন্য আপনার কোন চিন্তা নাই। "যুগবাণী" একটা rag কাগজ।

SJ. KANAI LAL DE: "যুগবাণী" যে একটা rag কাগজ তা কি কারণে বলছেন, মাননীয় মন্ত্রীমহাশয় বলবেন কি?

The Hon'ble NALINI RANJAN SARKER: (No reply.)

Mr. SPEAKER: I think the answer has been given.

Memorandum to the Hon'ble Prime Minister of India by the Joint Secretary, Sundarban Praja Mangal Samity.

***23. Sj. BEPIN BEHARI GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Land and Land Revenue Department be pleased to state if it is a fact that a memorandum was placed before the Hon'ble Prime Minister of India by Joint Secretary of Sundarban Praja Mangal Samity in December, 1948, copy of which was sent to the Government of West Bengal?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, have been taken by the Government to acquire all lands under temporary settlements?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the Sundarban Development Board has been formed; and

(*ii*) whether the Government consider the desirability of forming a separate district named Sundarban?

MINISTER in charge of the LAND and LAND REVENUE DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (*a*) I am not aware whether any memorandum was placed before the Hon'ble Prime Minister of India by the Joint Secretary of the Sundarban Praja Mangal Samity in December, 1948. No copy of the memorandum was received by this Government.

(*b*) Does not arise.

(*c*) No.

Market Fund, Jalpaiguri.

***24. Sj. KHAGENDRA NATH DAS GUPTA:** Will the Hon'ble Minister in charge of the Land and Land Revenue Department be pleased to state—

(*a*) with regard to Market Fund, Jalpaiguri—

(*i*) total amount collected in the year 1948-49,

(*ii*) the position of the Fund as it stood on the 31st December, 1949, and

(*iii*) amounts sanctioned and actually spent in the years 1947-48 and 1948-49 in different *tahsils* of the district; and

(*b*) whether it is a fact that a large number of Government *hats* and approach roads require immediate repairs?

MINISTER in charge of the LAND and LAND REVENUE DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (*a*) A statement is laid on the Table.

(*b*) Yes. The work of improvement of *hats* and repairing of approach roads, etc., was duly taken up at an estimated cost of Rs.2,64,457 during 1949-50. The projects which could not be completed or taken up during that year will be taken up in 1950-51.

Statement referred to in reply to clause (a) of starred question No. 24, showing the total collections and other particulars of the Western Duars Market Fund, Jalpaiguri.

(*i*) Total collection during 1948-49—Rs.1,73,010-3.

(*ii*) Position of the Fund as it stood on the 31st December, 1949—

	Rs.	a.	p.
(1) Total collection	1,17,399	15	6
(2) Total expenditure	61,996	2	0
(3) Balance up to the 31st December, 1949 ...	55,403	13	6
(4) Closing balance for 1948-49	2,32,246	9	6
(5) Net cash balance on the 31st December, 1949 ...	2,87,650	7	0

(*iii*) Amounts sanctioned and actually spent in 1947-48 and 1948-49 in different *tahsils*—

Name of *tahsil*.	1947-48.				1948-49.			
	Amount sanctioned.	Amount actually spent.			Amount sanctioned.	Amount actually spent.		
	Rs.	Rs.	a.	p.	Rs.	Rs.	a.	p.
Mainaguri ..	52,449	36,816	3	6	96,517	39,460	2	6
Falakata ..	51,284	33,585	7	0	1,29,867	38,341	6	0
Alipur Duars ..	50,843	23,168	14	0	70,008	54,639	14	9
Bhalka ..	5,257	3,704	9	0	7,274	5,690	7	0
Total ..	1,59,833	97,275	1	6	3,03,666	1,38,131	14	3

Sj. KHAGENDRA NATH DAS GUPTA: মাননীয় মন্ত্রীমহাশয় বলেছেন—হাট এবং তাতে যাবার রাস্তা মেরামতের জন্য গত ১৯৪৯-১৯৫০ সালে ২,৬৪,৪৫৭ টাকা খরচ হবে বলে মোটামুটিভাবে ধরা হয়েছিল, তার ভিতর কত টাকা খরচ হয়েছে এবং কি পরিমাণ কাজ সম্পন্ন হয়েছে তা বলবেন কি? আর মাননীয় মন্ত্রীমহাশয় যে statement দিয়েছেন তাতে দেখা যাচ্ছে ১৯৪৮-১৯৪৯ সালে যে টাকা sanction হয়েছিল তার অর্দ্ধেক টাকা খরচ হয়েছে কিন্তু কাজ অর্দ্ধেকও সম্পন্ন হয়নি, এর কারণ কি?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I ask for notice; that refers to figures. কারণ materials সম্পূর্ণ collect করা সম্ভব হয়নি।

Sj. KHAGENDRA NATH DAS GUPTA: রাস্তাঘাট তৈরী করতে যে মাটী সংগ্রহ করতে হয়, তাও কঠিন হয়েছিল কি?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Road Programme সম্পূর্ণ হয়নি।

Sj. KHAGENDRA NATH DAS GUPTA: মাননীয় মন্ত্রীমহাশয় বলবেন কি, জলপাই-গুড়িতে মাটী সংগ্রহ কেন সম্ভব হয়নি?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Road Programme সম্পূর্ণ হয়নি সেজন্য কাজটা হয়নি।

Janab MD. KHUDA BUKHSH: মাননীয় মন্ত্রীমহাশয় বলবেন কি Road Programme কেন সম্পূর্ণ করা সম্ভব হয়নি?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: বলেছিতো Road Programme সম্পূর্ণ হয়নি, কারণ অন্যান্য programme যা আগেই শেষ করা যাবে বলে কল্পনা করা গিয়েছিল, তার কাজ শেষ হয়নি।

UNSTARRED QUESTION

(answer to which was laid on the table)

Damodar Press, Burdwan.

4. Janab ABUL HASHEM: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether the Subdivisional Officer, Burdwan, invited tenders for printing of Draft Electoral Rolls in—

(1) March, 1949, and

(2) September, 1949;

(*ii*) whether quotations of the Damodar Press were accepted, and it was intimated to the press; and

(*iii*) whether on the 15th December, 1949, the District Magistrate cancelled the selection of the said press?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what was the reason for such cancellation;

(*ii*) whether Government will reconsider the cancellation order; and

(*iii*) if not, whether the Government consider the desirability of paying compensation to the press for equipments purchased in view of the acceptance of their tenders?

The Hon'ble Dr. BIDHAN CHANDRA ROY: (*a*)(*i*) In March, 1949, certain information was collected by the District Officer about the printing capacity of local presses for report to Government. In October, 1949, tenders were invited from all local presses of Burdwan including the Damodar Press.

(*ii*) After the representatives of presses had met in a conference held on the 14th November, 1949, selection of presses including the Damodar Press was made.

(*iii*) Yes.

(*b*)(*i*) Meanwhile as an enquiry revealed that this press had undesirable connections, it was decided not to entrust the work to it and the decision was communicated to the press on the 15th December, 1949.

(*ii*) and (*iii*) No.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, have you finished the questions?

Mr. SPEAKER: Yes.

The Hon'ble Dr. BIDHAN CHANDRA ROY: May I make a submission, Sir, with regard to the programme of today?

Mr. SPEAKER: Yes.

The Hon'ble Dr. BIDHAN CHANDRA ROY: As regards business before the House, apart from the Demands for Grants there are certain Bills. May I suggest, Sir, with your permission and approval of the House that the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill and the West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, might be postponed and taken up tomorrow, if that would suit your convenience and the convenience of the House?

Mr. SPEAKER: I have no objection.

Sj. SIBNATH BANERJEE: Thank you, Sir.

Janab MD. KHUDA BUKHSH: We want to convey our thanks to the Hon'ble Chief Minister for doing so.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Don't be always a replica or trade mark of Sj. Sibnath Banerjee.

Mr. SPEAKER: These two Bills will not be taken up today. Now the Supplementary Budget will start and we shall take up Demands for Grants—Ports and Pilotage, etc. But before we take up the Budget I want to make some observations.

Janab SYED BADRUDDUJA: Sir, may I, with your permission, refer to certain incidents that have happened? I have received a telegraphic message from Berhampore only this morning and other communications through letters yesterday about certain incidents.

Mr. SPEAKER: Have you intimated this fact to the Government?

Janab SYED BADRUDDUJA: No, Sir.

Mr. SPEAKER: The ordinary procedure is that whenever a statement is to be made by somebody in this House which is not on the agenda paper, then he will have to refer the matter to the Government. You refer the matter to the Chief Whip of Government and then you can make the statement if you like tomorrow.

Before we take up the Supplementary Budget I should like to draw the attention of the members to this that personal invectives and charges should not be used. The rules provide that a member is not entitled to make any personal comment and there ought to be moderation in the speeches he delivers. So far as the speeches are concerned, it is very difficult to pull up at every moment. It is for the members to observe it. However strong may be the criticisms with regard to the policy or action, personal invectives should be avoided as far as possible. So far as this House is concerned, there is practically no opposition. Out of 92 members we have got only 84 and out of that 84 attendance is about 50 to 60, and out of that also very few members take part in discussion. I have, therefore, allowed a certain amount of latitude, so that discussion may go on, but I do hope that personal invectives will be avoided, and I will not allow personal invectives to be carried on in this House, because I feel that brings about certain amount of acrimony.

Sj. SIBNATH BANERJEE: মিঃ স্পীকার, স্যার, আপনি যতক্ষণ বললেন এদিকে তাকিয়ে বললেন, ঐ দিকেও তাকিয়ে বলবার দরকার ছিল কারণ provocationটা ঐ দিক থেকেই আসে এবং সাধারণতঃ Ministerial Benchএর তিন জন লোকের কাছ থেকে আসে, অবশ্য তাঁদের নাম আমি করতে চাই না। ঐ দিক থেকে এই তিন জন লোক প্রায়ই disturb করেন।

Mr. SPEAKER: I have understood it. Unfortunately, I cannot see the faces of the members sitting before me, but the remarks which I have made relate to every section of the House.

Sj. SIBNATH BANERJEE: Specially the Ministers.

Mr. SPEAKER: All the Ministers and all the members.

Sj. SIBNATH BANERJEE: They must set the standard.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Guilty conscience!

Sj. SIBNATH BANERJEE: The Ministers must show the way: they must set the standard.

DEMANDS FOR GRANTS.

30—Ports and Pilotage.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 70,000 be granted for expenditure under the head "30—Ports and Pilotage" during the current year.

Sir, the grant is intended for the purpose of purchasing a unicraft vessel which is essential for the purpose of moving about in the different river areas where the heavy craft cannot go. That would be the right course and therefore we have put forward this demand for the purchase of a unicraft which is available from the Disposals.

The motion was put and agreed to.

40—Agriculture.

The Hon'ble PRAFULLA CHANDRA SEN: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Re. 1 be granted for expenditure under the head "40—Agriculture" during the current year.

Sj. SIBNATH BANERJEE: এতে Cut Motionএর জায়গা নেই, কারণ এক টাকায় যদি একশ' টাকা কাটি তাহলে মন্ত্রীমহাশয়ের ঘর থেকে ৯৯ টাকা নিয়ে আসতে হবে। মন্ত্রীমহাশয়ের বর্ত্তমান যে অবস্থা তাতে হয়ত তিনি দিতে পারেন, কিন্তু আবামবাগে থেকে তিনি দিতে পারতেন না। কাজেই Cut Motion করতে হলে আমাকে একটা কাণা কড়ি cut করতে হয়। এই ব্যাপারে আমি বেশী সময় নেব না, তবে একটা বিষয়ে মাননীয় মন্ত্রীমহাশয়ের দৃষ্টি আকর্ষণ করতে চাই। এই যে Central Jute Research Instituteকে ১,১৪,০০০ টাকা না something দেওয়া হচ্ছে, এই দেওয়ার আগে সেখানকার শ্রমিকদের উপর যে অত্যাচার হচ্ছে সে সম্বন্ধে একটু অনুসন্ধান করতে বলব। Central Pay Commissionএর recommendation অনুসারে তাদের দুই বছর আগে মাইনে বাড়িয়ে দেওয়া হয়েছিল, কিন্তু তাঁরা হঠাৎ বললেন তা আর দেওয়া হবে না, এবং মাইনে reduce করে দেওয়া হ'ল। মাইনে না বাড়লে তবু সহ্য করা যায়, কিন্তু মাইনে একবার বাড়িয়ে আবার তা কমিয়ে দিলে সেটা অত্যন্ত কঠিন অবস্থা হয়।

The Hon'ble PRAFULLA CHANDRA SEN: কাদের মাইনে?

Sj. SIBNATH BANERJEE: Central Governmentএর হাতে যখন টাটা কোম্পানী টাকা দেয়, তখন N. M. Joshi Central Assemblyতে বলেছিলেন এই টাকা দিচ্ছি, কিন্তু তোমাদের কাছ থেকে একটা assurance চাই। তেমনি এই জমি দেওয়ার পূর্বে we want an assurance from the Central Government. যারা employ করে তাদের মাইনে না কেটে, সেটা তাদের present pay হিসাবে দেওয়া হোক যতক্ষণ পর্য্যন্ত তারা next increment না পায়, কিন্তু এটা Central Jute Committee মানতে রাজী নয়। Central Jute Committee একটি অত্যাচারী প্রতিষ্ঠান, এদের হাতে জমি দেওয়া সঙ্গত কিনা একটু চিন্তার বিষয়। জমি দেওয়ার পূর্বে একটা assurance নিয়ে নেবেন যাতে এই রকম অন্যায় অত্যাচার তারা না করতে পারে। আর একটু বলব কিনা ভাবছি।

Janab MD. KHUDA BUKHSH: হাঁ, বলুন, বলুন।

Sj. SIBNATH BANERJEE : Agricultureটা foodএর মধ্যে এসে যায়। আমি relevant কিনা জানি না, সেটা স্পীকার মহোদয় বলবেন। মাননীয় মন্ত্রীমহাশয় আজ আমাদের ময়দা বা আটা কিছুই দিচ্ছেন না। আটার বদলে গম দিচ্ছেন এবং তার ফলে আমাদের যাঁতাকলে ফেলে দিচ্ছেন (laughter).

Mr. SPEAKER: Mr. Banerjee, I cannot allow you to deal with that question.

Sj. SIBNATH BANERJEE: But it is agriculture also.

Mr. SPEAKER: It may me under the head "Agriculture", but this matter relates to the specific subject of acquisition of land for a specific purpose.

Sj. SIBNATH BANERJEE: I bow down to your ruling.

Janab MD. KHUDA BUKHSH: Sir, I find that the Hon'ble Minister in charge of Food has made a demand of Re. 1 only. Sir, before this demand is made certainly he has a proposal ready for this expenditure of Re. 1. Will the Hon'ble Minister kindly enlighten the House exactly what he proposes to do with this one rupee?

Mr. SPEAKER: Well, this is a technical matter. When the Finance Department opens a head, a token demand of Re. 1 is made. Therefore in this case a demand of Re. 1 has been made.

Janab MD. KHUDA BUKHSH: Sir, this is a supplementary estimate and the Hon'ble the Finance Minister told us yesterday that we did not take the trouble of opening the cover of the book of supplementary estimates. Sir, this is an estimate of Re. 1 and so the Minister will please enlighten the House how he wants to spend this rupee 1.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Mr. Khuda Bukhsh has not read the section again. Section 205 provides for a token demand of Re. 1 being made. Sir, the necessity of coming here was not urgent because money was to be found from savings from other departments, but because it was a new head we have to come to this House for a token demand.

The Hon'ble PRAFULLA CHANDRA SEN : মাননীয় স্পীকার মহোদয়, আমাদের সব সময়ই ধান ভানতে শিবের গীত শুনতে হয়। শিবনাথ বাবু এখানে আবার শূন্যিক সমস্যা এনে ফেলেছেন। এটা অত্যন্ত সোজা ব্যাপার। এক টাকা token grant এই জন্য চাওয়া হয়েছে যে আমাদের এখানে Central Agricultural Jute Research Institute সেটা স্থাপিত হবে তার জন্য জমি দরকার। জমি আমরা দেব। সেই জমিতেই ঘর-বাড়ী সমস্ত হবে, সেটা আমরাই ভোগদখল করবো। একটা টাকার মঞ্জুরী চাই। বাকী টাকাটা যা প্রয়োজন হবে, সেটা আমরা appropriation করে নেব। Agricultureএর grantএর মধ্যে আবার শিবের গীত?

The Hon'ble Dr. BIDHAN CHANDRA ROY: না, না, Agriculture মানেই তো শিব, আর গীত তো সে গাইবে। (Laughter.)

The motion of Hon'ble Prafulla Chandra Sen that a sum of Re. 1 be granted for expenditure under the head "40—Agriculture" during the current year, was then put and agreed to.

43—Industries—Industries, etc.

The Hon'ble NALINI RANJAN SARKER: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 6,50,000 be granted for expenditure under the heads "43—Industries—Industries; XLI—Receipts from Electricity Schemes—Working Expenses;

53—Capital Outlay on Electricity Schemes met out of Revenue Account; and 72—Capital Outlay on Industrial Development Outside the Revenue Account" during the current year.

Sj. SIBNATH BANERJEE: এটায় memorandum একটুখানি দিয়েছেন। এর দ্বারা কিছুটা বোঝা যাচ্ছে যে ব্যাপারটা কি। কিন্তু দু-নম্বর যা Explanatory Memorandum দিয়েছেন তা পড়ে অবাক হ'য়ে চোখ মুছছি—সত্যিই পড়ছি? Co-operative Directorate থেকে Hand-loom Sectionটা Directorate of Industriesএ দেওয়া হচ্ছে। এই Directorate of Industries সম্বন্ধে কিছু বলবো না। কারণ তা নিয়ে আগে অনেক কিছু হয়ে গেছে; তা নিয়ে কোর্টে কেসও চলেছে।

Co-operative Department প্রথমে শ্রীযুক্ত সেনের হাতে ছিল, তারপরে ছিল মাইতির হাতে—আর এখন আছে Dr. R. Ahmedএর হাতে। এই Co-operative Departmentটা এতই অযোগ্য যে এর Hand-loom Sectionটা এখন Directorate of Industriesএর হাতে ছেড়ে দেওয়া হচ্ছে।

কংগ্রেস থেকে বারবার বলা হচ্ছে যে Co-operativeএর মারফত দেশের সব Industry গড়ে তুলতে হবে। এই Hand-loom Industryও সেইভাবে করা উচিত ছিল। সেটাই আমরা expect করেছিলাম। খগেনবাবু বলেছিলেন Chinaতে এই Co-operativeএর মারফত Hand-loom Industry গড়ে উঠেছে। তার ফলে চায়নার অর্থ সমস্যা ও উৎপাদন সমস্যার সমাধান করতে অনেক সাহায্য করেছে। আমাদের দেশেও তাই হ'তে পারে। এই কি তার নূতন নূতন নমুনা? Hand-loom Sectionটা তাঁরা Directorate of Industriesএর হাতে তুলে দিয়েছেন। আমরা ভেবেছিলাম অন্যান্য সমস্ত Industry তাঁরা নিজেদের হাতে নিয়ে নেবেন। যেমন ইংল্যাণ্ডে ডাণ্ডীর হাতে Jute Mill রয়েছে, Ceylonএর হাতে চা-বাগান রয়েছে। এইরকম করে একে একে সব তাঁরা হাতে নিয়ে নিতে পারেন। ইংল্যাণ্ডে Co-operative Wholesale Society ১ লক্ষ ২০ হাজার। এর আগে বড় বড় ধুরন্ধরেরা এই ডিপার্টমেণ্টের মন্ত্রী ছিলেন, তাঁরা mismanage করেছেন। সেইজন্য আজকে সেটা Industryর হাতে তুলে দেওয়া হচ্ছে। এটা অত্যন্ত লজ্জার কথা। আমি এর প্রতিবাদ জানাচ্ছি। যিনি নূতন মন্ত্রী হয়েছেন, তাঁকে অন্ততঃ একটা chance দেওয়া হোক। আগে দুজন অযোগ্য মন্ত্রী যাঁরা এই Co-operative Departmentকে efficiently চালাতে পারেন নি, তার জন্য এই নূতন মন্ত্রীকে অবমাননা সহ্য করতে কেন হবে? কাজেই এটা স্থগিত থাক। একটু দেখা যাক না তিনি Hand-loom Sectionটা চালাতে পারেন কি না। না পারলে পরে কথা হবে।

আর একটা কথা—"Entertainment of German Experts" এ কথাটা বুঝতে পারলাম না। একটা allowanceএর ব্যবস্থা থাকলে না হয়, বুঝতে পারি। এই "Entertainment of German Experts for the establishment of Dye-Stuff Industry" এই রকম জিনিষ—গত ১৪ বছরের মধ্যে এই Houseএ আমরা কখনো শুনি নি। মাননীয় অর্থমন্ত্রী মহাশয় বিচক্ষণ লোক, আজকে তিনি যা বলেছেন, তার উত্তর এখন দেব না। এই জিনিষটা একটু বুঝিয়ে বললে ভাল হ'ত। তাঁকে গড়ের মাঠে, কি ইডেন গার্ডেনে ঐ entertainment করতে হবে, কি বিচিত্রায় এই entertainment করতে হবে তা কিছুই বোঝা যাচ্ছে না। তার জন্য এই টাকা খরচ করা এটা একটা অপব্যয় ছাড়া আর কিছুই নয়। আমি এতে আপত্তি জানাচ্ছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want to draw the attention of my honourable friend to item (6) in the Explanatory Memorandum.

Sj. SIBNATH BANERJEE: I am not "Hon'ble"—"Hon'bles" are on the other side.

The Hon'ble Dr. BIDHAN CHANDRA ROY: All right, you are dishonourable.

"Payment of arrear share of contribution of this Government"—The Government of India brought out these German experts for making a survey of different parts of India including Bengal for the purpose of finding out whether a high tension insulator factory could be established or a dye-stuff industry could be established. The reason was that in Bengal or rather in the contiguous areas of Bengal there are resources of coal and also iron

and they, therefore, considered that some place near about Durgapur would be a suitable place for establishing either a dye-stuff industry or a high tension insulator factory. When they brought out these experts, they asked all the Governments—not merely this Government—to pay or to undertake liability for a portion of the cost. The word "entertainment" is used here in a generic sense and not in the narrow sense in which Mr. Sibnath Banerjee is thinking.

Sj. SIBNATH BANERJEE: What is the explanation? Will the Hon'ble Minister give us the proper and correct expression?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The correct expression is there. Only the meaning you have not understood correctly.

Sj. SIBNATH BANERJEE: That is the meaning the world understands. I can refer it to the Hon'ble Speaker as to what he understands.

The Hon'ble Dr. BIDHAN CHANDRA ROY: May I ask the honourable member to bring a *Chambers's Dictionary* to-morrow instead of *May's Parliamentary Practice*?

The Hon'ble NALINI RANJAN SARKER: শিবনাথবাবু যে দুইটা point তুলেছেন Industry Department এ Cottage Industries নেওয়ার প্রশ্ন। তারপর তিনি যে বলেছেন entertainment of German expert—এর অর্থ প্রচুর ক'রে খাওয়ান নয়। তা'হলে শিবনাথ বাবুও নিমন্ত্রণ পেতেন।

এই বন্দোবস্ত—এটা আমাদের আগের Government ই ঠিক করে রেখেছিল। বিহার এবং বাংলা দেশ আংশিকভাবে খরচ বহন করতো। এই বিষয় enquiry করা হ'য়েছে। এইটা হবার পর দেখা গিয়েছে যে আমরা এই ব্যয় বহন করতে পারবো না।

Sj. SIBNATH BANERJEE: মাননীয় অর্থ সচিবমহাশয় নিমন্ত্রনের ভরসা দিলেন, কিন্তু "রজনী" থেকে এই পর্য্যন্ত কিছু পাই নাই।

The motion of the Hon'ble Nalini Ranjan Sarker that a sum of Rs. 6,50,000 be granted for expenditure under the heads "43—Industries—Industries; XLI—Receipts from Electricity Schemes—Working Expenses; 53—Capital Outlay on Electricity Schemes met out of Revenue Account; and 72—Capital Outlay on Industrial Development outside the Revenue Account" during the current year was then put and agreed to.

43—Industries-Cinchona.

The Hon'ble NALINI RANJAN SARKER: Sir, on the recommendation of the Governor I beg to move that a sum of Rs. 2,01,000 be granted for expenditure under the head "43—Industries-Cinchona" during the current year.

The motion was then put and agreed to.

50—Civil Works and 81—Capital Account of Civil Works outside the Revenue Account.

The Hon'ble BHUPATI MAJUMDAR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 70,16,000 be granted for expenditure under the heads "50—Civil Works" and "81—Capital Account of Civil Works outside the Revenue Account" during the current year.

Sir, of this demand Rs. 40,09,000 will be spent under 50—Civil Works during the current year. This is divided into six subdivisions: A—Original

Works—Buildings Rs. 4,90,000; B—Original Works—Communications Rs. 3 lakhs; C—Original Works—Miscellaneous Rs. 61,200; D—Repairs Rs. 21,35,000; F—Tools and Plant Rs. 2,78,300; and J—Development Programme Rs. 7,44,000—in all Rs. 40,09,000.

The reasons for increase I will now explain.

A—Original Works—Buildings.

The increase is due mainly to construction of permanent headquarters of Eastern Frontier Rifles at Salua, a new work, at an estimated cost of Rs. 7,07,000 which is partly set off by savings on other works in progress.

B—Original Works—Communications.

Mr. SPEAKER: It is not necessary for you to read out the details.

The Hon'ble BHUPATI MAJUMDAR: They want details. I am reading out from other papers.

Mr. SPEAKER: I thought you were reading out from this paper.

The Hon'ble BHUPATI MAJUMDAR: The increase is due to work done more speedily mainly on the following three heads:—(*i*) Santhia-Sultanpur, (*ii*) Berhampore-Jalangi, (*iii*) Bongaon-Bagdah-Boyra. We have provided Rs. 3,000 for construction of Gandhi Ghat at Barrackpore. Regarding Mahajati Sadan the work has been taken up. It will cost us under this head Rs. 58,200 more. Regarding repairs the additional grants are mainly required due to repairs to damages to roads and buildings in Darjeeling, Jalpaiguri and Cooch Behar caused by the recent flood and landslides in the area. Then as regards Development Programme the increase is due to additional work sanctioned for execution afterwards in connection with the following schemes: Improvement of the Bengal Engineering College—Rs. 3,47,000; and conversion of Campbell Medical School into a College—Rs. 7,97,000.

Under the head "81—Capital Account, etc.", our demand is Rs. 30,07,000 —Original Works—Communications Rs. 3,50,000; and Tools and Plants—Rs. 26,57,000. The reason for increase under Original Works—Communications is that in pursuance of the Chief Minister's announcement made on the occasion of the merger of Cooch Behar with this State that schemes of national-building improvement would be undertaken for the development of Cooch Behar out of the pre-merger cash balance of Cooch Behar, three road projects which are urgently necessary were authorised for commencement and intimation accordingly sent to the Government of India with a request to set apart the necessary fund out of the pre-merger cash balance. The Government of India, however, stated that pending determination of the actual amount of the cash balance, we should not take up this expenditure if we can avoid. But necessity has arisen for providing provisionally necessary funds for these road projects during this year in the State Government's Budget under 81—Capital Account of Civil Works outside the Revenue Account, and steps have already been taken separately to obtain Government of India's sanction for commencing these projects out of the pre-merger cash balance of Cooch Behar. The cost will be written back in due course to that account on receipt of the Government of India's sanction.

The additional demand regarding tools and plants is required to cover the liability in respect of certain tools and plants which were purchased during 1949-50 for the use of the Works and Buildings Department but could not be paid for during that year due mainly to delay in settlement of suppliers' bills. There was a corresponding saving out of the last year's grant for the purpose.

In this connection I would like to mention that as regards Mahajati Sadan the delay is due to the last communal riot. The contractor ran away and fresh arrangements had to be made for continuing the work. The work has been taken up and will be continued without any delay.

Sj. SIBNATH BANERJEE: When will it be completed?

The Hon'ble BHUPATI MAJUMDAR: It will take some time.

Regarding pre-Partition claim—the point which my friend Mr. Charu Chandra Bhandari raised—Government have accepted the principle that pre-Partition claims of certain specific categories, i.e., municipal tax, security deposit and also land acquisition charges, should be paid segregating the amount for debit to the East Bengal Government in due course. We are going to pay out of our own revenue and later on it will be debited against East Bengal's dues. We have implemented this decision . ...

Mr. SPEAKER: I think "Pre-partition" is a separate head

The Hon'ble BHUPATI MAJUMDAR: The honourable member raised this question while delivering his speech.

As far as Bankura District is concerned, we have constructed four roads during the last three years and we have not removed any material from the Darkeswar Bridge side. Darkeswar Bridge has been postponed; it has not been abandoned and it will be taken up as soon as the rainy season is over.

Sj. SIBNATH BANERJEE: বাজেটে যে দাবী জানিয়েছেন, তাকে তিন ভাগে criticis করবো। কাজ যেখানে ভাল করেছেন সেখানে ধন্যবাদ জানাবো। Bengal Engineering Collegeএর জন্য, conversion of Campbell Medical School to College এই সমস্তের জন্য যে টাকা খরচ হয়েছে বা তিনি চেয়েছেন এর জন্য ধন্যবাদ জানাচ্ছি। আর যে গান্ধিঘাটি construction সেটা ত আগেই হয়ে গিয়েছে এখন সামান্য কিছু করছেন। আর মহাজাতি সদন সম্বন্ধে--আগেই বলেছি general discussionএর সময় বক্তৃতার মধ্যে জিজ্ঞাসা করা সত্ত্বেও তার জবাব পাই নাই। তিনি বলেছেন যে এখনও কিছু সময় লাগবে। এটা ওদের পক্ষে এবং আমাদের পক্ষে খুবই লজ্জার কথা। আর আমরা চেয়েছিলাম, দেশের লোক চেয়েছিল জনসাধারণ চেয়েছিল--এমন কি বিশ্বকবি রবীন্দ্রনাথের মনে এই স্বপ্ন ছিল--মহাজাতি সদন এমনভাবে করা হবে যেখানে সকল রকম political opinionএর লোক সমবেত হ'তে পারবে, মত প্রকাশ করতে পারবে। সেখানে library এবং অন্যান্য প্রতিষ্ঠান থাকবে--একটা hall থাকবে meeting করবার জন্য। এই রকম প্রতিষ্ঠানের অত্যন্ত অভাব। এই রকমের প্রতিষ্ঠান কলকাতা সহরে নাই। দুই একটা hall যা আছে সেখানে এই রকম facility নাই। কিন্তু সেখানে এই রকম facility পাওয়া দরকার যাতে political discussionএর কোন অসুবিধা না হয়। এইজন্য মহাজাতি সদন প্রতিষ্ঠা করবার অত্যন্ত প্রয়োজন আছে। তা ছাড়া অন্য প্রয়োজনের কথা আগেই বলেছি। বাংলা দেশের শুধু নয়, ভারতের শুধু নয়, সমস্ত বিশ্বের মধ্যে দুই জন প্রখ্যাত মহাপুরুষের স্মৃতি এর সঙ্গে জড়িত। যেমন New Yorkএ Liberty Statue রয়েছে সেই রকম একটা Statue আমাদের দেশে হবে না কেন? বাংলা Government লক্ষ লক্ষ টাকা খরচ করতে কার্পণ্য করে না, ফাঁও বাজেটে ৪ কোটি টাকা রেখেছেন অথচ আমরা ৫ হাজার লোক একসঙ্গে meeting করতে পারি না। বাংলা দেশে meetingএর অসুবিধা আছে। সেইজন্য এইটার স্বপ্ন ছিল রবীন্দ্রনাথের, এইটা স্বপ্ন ছিল সুভাষচন্দ্রের। কিন্তু আজকে এই মন্ত্রিমণ্ডলীর হাত দিয়ে ডাক্তার রায় এইজন্য টাকা খরচ করবেন, আমরা এখানে সকলেই হাততালি দিয়ে তা সমর্থন করলাম।

এখন দেখা যাচ্ছে তাঁর অকর্ম্মণ্য সঙ্গীদের হাতে পড়ে কাজটা হচ্ছে না। আমি এজন্য--(THE HON'BLE BIDHAN CHANDRA ROY : ক্ষোভ জানাও) ক্ষোভ জানাচ্ছি। শুধু আমি জানাচ্ছি না--ত্রিকোণ পার্কে জনতা দিনের পর দিন ক্ষোভ জানাচ্ছে--সেখানে নেতাজীর মর্ম্মর মূর্ত্তি প্রতিষ্ঠা করবার জন্য। আমি আগেও কয়দিন বলেছি, আজও আবার বলছি; আশা করি মন্ত্রিমণ্ডলী এই ব্যবস্থাটা করবেন। ডাঃ রায়ের ঘরে দেখেছি নেতাজীর ছবি বেশ ভালভাবেই টাঙ্গান রয়েছে। ত্রিকোণ পার্কে মর্ম্মর মূর্ত্তিটা প্রকাশ্য রাস্তার পার্শে মহাজাতি সদনের সম্মুখে যদি রাখা যায়, তাহলে ডাঃ রায়ের বোধ করি আপত্তি হবে না।

এখন communications সম্বন্ধে দুই একটি কথা বলা দরকার। হাওড়া থেকে যদি বজবজ যেতে হয়, তাহলে গঙ্গা পার হয়ে কলকাতা আসতে হয়। সেটাও না হয় চলতে পারে। কিন্তু হাওড়া থেকে যদি বাউরিয়া, চেঙ্গেইল যেতে হয়, তবে ঐ দুটো পাশাপাশি স্থানের জন্য বহু ঘোরা পথ অতিক্রম করতে হয়। কিন্তু গঙ্গার ধার দিয়ে যদি একটা রাস্তা হয়, তাহলে ঐসব অঞ্চলে যে কয়টা Jute Mill আছে তার ধার দিয়ে, জনসাধারণ সুবিধামত যাতায়াত করতে পারে। এটা যে কেন হচ্ছে না, বুঝতে পাচ্ছি না। এ সম্বন্ধে যখনি প্রশ্ন তুলেছি তখনি অভিযোগ উঠেছে যে এখানে রাস্তা হবার বহু অসুবিধা আছে। অসুবিধা কি আছে জানি না, তবে আমি বলতে পারি, জনসাধারণের চলাফেরার সুবিধার সঙ্গে সঙ্গে ওদের পুলিশদের যাবারও সুবিধা হবে। দাবীটা অনেক দিন ধরেই জানান হচ্ছে। Municipality, District Boardএর পক্ষ থেকেও এটাও প্রয়োজনীয় জিনিস। যখন Supplementary বাজেটই এনেছেন, তখন এমন একটা প্রয়োজনীয় জিনিষটার জন্য কোন provisionই করা হয় নি কেন জানি না। সেনমহাশয় একথা বল্লেই বলবেন, ধান ভানতে শিবের গীত হচ্ছে (Laughter)। শিবের গীত ছাড়া উপায় কি? District roadএর কথা যে বলেছি, ঐ দাবীটা এগার বছর ধরে করা হচ্ছে, কিন্তু আজও সে কাজটা করা হল না, যখন Supplementary বাজেটই করেছেন তখন, অন্ততঃ কিছু টাকা এই developmentএর জন্য ধরে সেখানকার লোকেরা দশ পনর বছর ধরে যে জিনিষটা দাবী করছে, সেইটে করতে অগ্রসর হলে মন্ত্রীদের কিছুই অসুবিধে হতো না। কাজেই আমি প্রতিবাদ জানাচ্ছি তাদের এই বাজেটটার বিরুদ্ধে।

Sj. SHEO KUMAR RAI: Mr. Speaker, Sir, Hamarey civil works ke mahamantri hain jo Darjeeling ke Roads ke bishai men estimate rakha hai, main dhannabad deta hoon. Mera kahna jeh hai ke serf landslide ke wajah say resta kharab hogiya hai, yeh naheen bulkey is ke agey bhi rasta kharab rahta tha. District Board aur Local Board ka jo rasta Kalimpong say Pedong jata hai, wah rasta bhi kicher say bhara rahta hai, motor chalan mushkil hojata hai. Jetney rastay chabagan ke bhiter ke taraf say jatey hain, wah rasta District Board apney hath men naheen rakhtay hain bulkey chabagan ke manager us rasta ko marammat kartey hain. Jeska bagan jahantak hota, wahan ka manager wah rasta ka dekhbhal kerta hai, uskey bad jeska bagan hai wah dekhta hai. Is parkar say Local Board aur District Board rastaon ka dekhbhal kertey hain. Wah sub rasta bohut kharab hai aur gharibon ko jeh mar par jati hai, keon ke jab koie koie bara admi District Board ka, ya Local Board ka ya jab His Excellency us rasta say jaengey to jaldi jaldi marammat kertey hain. Parantu wah sub rasta barson tak waisey halat men rahta hai. Sonada ke pas jo bari khaie hai, aj wahan ka rasta itna kharab hai, itna chekna matti hai ke phesalney ka dar rahta hai, accident honey ka dar hota hai. Parantu jab Governor ustaraf ja rahey they bag per bag balu ka giratey jatey they aur jab His Excellency wahan pouchey to kahney lagey rasta bohut achha hai, phesalney ka dar naheen hai. Mera kahney ka matlab jeh hai ke afsar log bhi rasta ke zara dekh bhal karen, ta ke hamesha rasta, jeska bhi ho, District Board ka, ya Local Board ka ho ueha rahey. Yeh naheen ke jab afsar aey to jaldi jaldi marammat hojai. Sonada ke pas jo breach hai uske bare men hum ney agey bhi kaha hai ke jaldi jaldi banana chaheay Hamarey Chief Engineer, aur Executive Engineer wahan gaey pher bhi wah rasta marammat naheen hua. Yeh naheen ke rasta khaternak hai marammat naheen ho sakta hai, pahley bhi wah rasta banaya giya tha. Aj department ke taraf say dhiyan dena chaheay ta ke wahan admion ka ziada dukh naheen barhey. Serf admion ka naheen bulkey Government

ka bhi hani aur nuksan horaha hai. Sonada ke pas rasta naheen khulney say jetna mal civil supply ka wohan ja raha hai wah admion ke uper jaraha hai, admi utha ker lejatey hain. Government ko bhi bohut nuksan hai. Old military Road ka rasta bhi kharab hai. wahan bhi kuch chal naheen sakta hai serf chota chota jeep wahan ja sakta hai. Hum asha kertey hain ke Sonada ke pas jo breach hai wah jaldi ban jaiga aur pher say regular Traffic shuru kerdia jai.

The motion of the Hon'ble Bhupati Majumdar that a sum of Rs. 70,16,000 be granted for expenditure under the heads "50—Civil Works" and "81—Capital Account of Civil Works outside the Revenue Account" during the current year was then put and agreed to.

(When the Speaker was putting the motion and called "Ayes have it", Sj. Sibnath Banerjee cried "Division".)

Sj. SIBNATH BANERJEE: Sir, I called for Division as a protest against the Minister not replying to the debate but I could not draw your attention as you did not look up.

Mr. SPEAKER: I am sorry, I have passed it, and so there is no chance of reopening it now.

54A—Territorial and Political Pensions.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,00,000 be granted for expenditure under the head "54A—Territorial and Political Pensions" during the current year.

As the note will show, this is a demand for payment of allowances that has to be made to the relations of the ex-Ruler of Cooch Behar and other members of his family. When the merger took place according to the Act we thought that the privy personal allowances to the relations of the ex-Ruler of Cooch Behar State would be paid by the Government of India. But recently the Government of India has intimated to us that they would not pay and the Government of West Bengal would have to pay. Hence this demand has to be made.

Sj. SIBNATH BANERJEE: প্রধান মন্ত্রীমহাশয়, এই বাজেটে যে দাবী পেশ করেছেন, সে সম্বন্ধে আমার জিজ্ঞাস্য হচ্ছে যে, কুচবিহারের ex-Rulerকে ১,৮৬,০০০ টাকা, তাঁর উপরেও আবার palace servantsদের জন্য ২,০০০ টাকা, এর মানে কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: It is not ex-Ruler—relatives of the ex-Ruler.

Sj. SIBNATH BANERJEE: এটা কত জনের জন্যে? মন্ত্রীমহাশয় বলবেন কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: আমার হিসাব নাই এখানে।

Sj. SIBNATH BANERJEE: Government of Indiaর ex-Rulerদের সম্বন্ধে কোন set form আছে কি না? যখন abolition of landlordism সরকারের নীতি তখন ex-Rulerদের কিছুই পাওয়া উচিত নয়। জমিদারী বাদ দিয়েও যে property তাদের আছে, তাতে কয়েক পুরুষ চলে যাবে। যে সমস্ত হীরা জহরৎ আছে, তাতে কয়েক generationএর খরচ চলে যেতে পারে। মাননীয় প্রধান মন্ত্রীমহাশয় কেবল জানিয়েছেন, যে এটা Government of Indiaর কাছ থেকে আশা করেছিলেন, হঠাৎ নিরাশ করে, একান্ত অনাবশ্যক খরচটা আমাদের ঘাড়ে চাপিয়েছেন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: আমাদের তো আর Socialist Government নয়! বা আমরাও Socialist Leader তো নই?

8j. SIBNATH BANERJEE : Socialist leaderরা কুচবিহারের মহারাজার কত কোটী টাকার asset আছে, তার কি খবর রাখবে? কিন্তু কতগুলি চাকর বা relative আছে, তার হিসাব যাঁর জানা উচিত তাঁকে জিজ্ঞাসা করায় তিনি বল্লেন জানি না।

Janab Md. KHUDA BUKHSH : Chief Minister হয়ে যাঁরা বসেন তাঁদের অন্তত: বড়লোকদের খবর জানার কথা।

The Hon'ble Dr. BIDHAN CHANDRA ROY : Khuda Bukhshএর মত বড়লোকেরই এসব খবর রাখা উচিত।

The motion of the Hon'ble Dr. Bidhan Chandra Roy that a sum of Rs. 2,00,000 be granted for expenditure under the head "54A—Territorial and Political Pensions" during the current year was then put and agreed to.

57—Miscellaneous—Miscellaneous.

The Hon'ble NALINI RANJAN SARKER: Sir, on the recommendation of the Governor, I beg to move that a sum of Rs. 4,27,000 be granted for expenditure under the head "57—Miscellaneous—Miscellaneous" during the current year.

8j. SIBNATH BANERJEE : মন্ত্রীদের জিজ্ঞাসা ক'রে খুব লাভ হবে বলে মনে হচ্ছে না। তারা প্রায়ই উত্তর এড়িয়ে চলেন। এই যে the additional grant is required to meet the cost of gratuitous relief given to a larger number of poor victims of disastrous fires in the various districts, এখানে noteএর other items (pointing to the budget book), 1(2) cost of gratuitous relief, যা poor victimদের দেওয়া হয়েছে—গত communal ব্যাপারে যারা ক্ষতিগ্রস্ত হয়েছে, তাদের যদি দেওয়া হ'য়ে থাকে, কি rateএ দেওয়া হয়েছে, maximumই কত আর minimumই কত? এ সম্বন্ধে অনেক কথাই শুনা গিয়েছে।

The motion of the Hon'ble Nalini Ranjan Sarker that a sum of Rs. 4,27,000 be granted for expenditure under the head "57—Miscellaneous—Miscellaneous" during the current year was then put and agreed to.

57—Miscellaneous—Expenditure on refugees.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 56,41,000 be granted for expenditure under the head "57—Miscellaneous—Expenditure on refugees" during the current year.

Sir, I have seen the cut motion of Mr. Sibnath Banerjee and I have heard his speech on this question because he introduced this part into his general remarks on the budget.

Sir, the position with regard to dispersal of students was this that it was found that before the partition the total number of colleges in West Bengal was 114 including 15 in Assam and one in Manipur and if you deduct this because Assam has now got its own university, the total number of colleges in the whole of Bengal was 99. Today, the total number of colleges in West Bengal is 89 and of this 89 nearly 40 are in Calcutta and round about Calcutta. It is also true—we have found out during our investigation—that some of these colleges in Calcutta have admitted as many as 7,000 students on their rolls—a number which has been regarded by every academic man to be abnormal because it is not possible for the teachers to get in touch with the students where so many students attend one institution and, secondly, because the space in the institution is so limited that often the colleges have to be held in two shifts or three shifts. This condition has been made worse by the fact that a large number of

students have come in from East Bengal anxious to pursue their instructions in the college courses. Therefore, we came to the conclusion that it was necessary to relieve the colleges in Calcutta and start colleges in the district areas. It was found also that of the total number of colleges in the districts—about 20 or so—a very large number of them had less number of students than could form an economic unit for the colleges. One of the reasons for this condition was that the teachers were not so good as the teachers perhaps in Calcutta colleges and, secondly, the equipments and arrangement for teaching were not so good as obtained in the colleges in Calcutta and many of the colleges in the mofussil had no Science Department. It has been a peculiar situation that a larger number of students today want to take up the Science course rather than the Arts course and as the majority of the colleges in the mofussil have no proper arrangement or probably no arrangement for Science course, it was not possible for these students, even if they so desire, to go to the mofussil areas. Therefore, sir, for any dispersal scheme of this character it was necessary first to improve the condition of the colleges in the mofussil by giving them better teachers and by giving them more money for equipments and for additional buildings necessary for expanding the colleges in the mofussil. Having got this point settled in our Ministry, we approached the Government of India to give us a loan which now is represented up to date by Rs. 56 lakhs—we asked for a loan of Rs. 1 crore.

It is also true that if the students have not got arrangement for proper education in the colleges, they are apt to move about in the streets and then they are caught up in any of the storms that go about in the town or in any of the new developments that are taking place or any amusement that catches their imagination. And therefore we approached the Government of India to give us a loan of Rs. 1 crore for the purpose of dispersal of students, and the money was to be spent on four heads, viz.: (1) to increase the number of teachers in the mufassil area, (2) to give them money for equipment, (3) to give them money for increasing their accommodation and (4) to give at least 50 per cent. of the students that would go to the mufassil a small allowance to cover their house rent or hostel rent, or Rs. 10 each. Provision has been made under this scheme for 8,000 students. The Government of India have not given us the whole of one crore of rupees that we wanted, but they have given us Rs. 72 lakhs of which Rs. 20 lakhs was spent last year and Rs. 52 lakhs spent this year. They have altogether allowed us Rs. 90 lakhs. They will, we hope, give us some money next year, because we had given them a scheme of two years where the professors will be appointed in the mufassil colleges for two years at any rate, and we wanted to ensure their salaries for two years, hoping that in the meantime the economic situation of the colleges will be such that they will be able to carry on without any Government subvention of this type. As I have said, they have given us Rs. 72 lakhs up to date, with which we have been able to do two things. Arrangements have been made for starting technical institutions in different parts and enlarging existing technical institutions—for instance, in Burdwan and other places. As I have said before, one is about to be started at Dhakra. Arrangements are complete, and just after the Pujahs students will be taken in under the control of Chittaranjan Locomotive Works. The other institution will be started in connection with the Sibpur Engineering College; and the third will be in connection with the Jadavpur Technical College. The type of technical instruction to be given should be such as is given to ordinary technicians like electricians, carpenters, etc. 1,500 students will be taken in these technical institutions. The other 6,500 students will be taken in 34 institutions in mufassil areas. Eighteen institutions out of these are those which were already second grade colleges but in which the Science Department was not existing or had to be strengthened, and 16 high English schools which

have been proved to be efficient. To them has been added the first year and second year classes of I.A. and I.Sc. courses. This demand that is now before this House is to meet the expenditure for these institutions both technical institutions as well as the developed institutions in the mufassil areas.

I submit, sir, that this is a matter which, although it is given on the score of our helping the refugee students, has really nothing directly to do with the rehabilitation of refugees, which is a much bigger and much more intricate problem about which my friend Mr. Sibnath Banerjee has raised a debate.

With these words, sir, I move that the demand be accepted.

Sj. SIBNATH BANERJEE: Sir, I beg to move that the demand of Rs. 56,41,000 for expenditure under the head "57—Miscellaneous—Expenditure on refugees" during the current year, be reduced by Rs. 100. I move this to raise a discussion about policy.

ধুবুলিয়ার জন্য আমি প্রধান মন্ত্রীমহোদয়কে ধন্যবাদ জানাচ্ছি, কিন্তু এতে যখন আপত্তি হচ্ছে তা আমি withdraw করে নিচ্ছি। তবুও আশান্বিত--মাহেশ শিবিরের জন্য তাঁরা কিছু করবেন। Enquiry অন্তত: করবেন। তারা যে অত্যাচার সেখানে করেছেন মেয়েদের উপর—

Mr. SPEAKER: Mr. Banerjee, what is the cut motion you are speaking about? Is it different from the motion which appears on the agenda paper?

Sj. SIBNATH BANERJEE: No, sir. It is to raise a discussion about policy.

Mr. SPEAKER: Please look at the agenda paper. There your amendment relates to raise a discussion about insufficient expenditure and inefficient management of funds spent on refugees. You better move that. You have read your amendment from another paper.

Sj. SIBNATH BANERJEE: I am sorry, sir. (Uproar from Government party benches.) Have patience. Those who are impatient, let them be patient, and they will be satisfied. Sir, I beg to move that the demand of Rs. 56,41,000 for expenditure under the head "57—Miscellaneous—Expenditure on refugees" during the current year be reduced by Rs. 100. I move this to raise a discussion about insufficient expenditure and inefficient managemnt of funds spent on refugees.

Refugeeদের নামে টাকা খরচ হচ্ছে অথচ সেই Refugeeদের উপরেই অত্যাচার হচ্ছে। এই দিকে আমি প্রধান মন্ত্রীমহাশয়ের দৃষ্টি আকর্ষণ করছি। ধুবুলিয়ায় যে রকম prompt action নিয়েছেন তার জন্য ধন্যবাদ জানাচ্ছি এবং আশা করি এখানেও সেই সম্বন্ধে একটা prompt action নেবেন। এইদিকে মন্ত্রীমহোদয়ের দৃষ্টি আকর্ষণ করতে চাচ্ছিলাম।

Mr. SPEAKER: Order, Order. Mr. Banerjee, you are not relevant. Please come to the point.

Sj. SIBNATH BANERJEE: I have already finished, Sir. I wanted to draw the attention of the Hon'ble the Chief Minister and I have done so. He does not believe in words but he believes in action. Let us see what he does.

The motion of Sj. Sibnath Banerjee that the demand of Rs. 56,41,000 for expenditure under the head "57—Miscellaneous—Expenditure on refugees" during the current year be reduced by Rs. 100, was then put and a division taken, with the following result:—

AYES—5.

Badrudduja, Janab Syed.	Muhammad Sayeed Mia, Janab.
Banerjee, Sj. Sibnath.	Muhammad Idris, Janab.
Khuda Bukhsh, Janab Md.	

NOES—42.

Abdullah, Janab S. M.	Majhi, Sj. Nishapati.
Bandopadhaya, Sj. Pramatha Nath.	Majumdar, The Hon'ble Bhupati.
Banerjee, Sj. Susil Kumar.	Mal, Sj. Iswar Chandra.
Banerji, Dr. Suresh Chandra.	Mallick, Sj. Ashutosh.
Barman, The Hon'ble Sri Syama Prasad.	Mandal, Sj. Annadaprasad.
Bhandari, Sj. Charu Chandra.	Mandal, Sj. Bankubehari.
Bhattacharyya, Sj. Shyamapada.	Mandal, Sj. Krishna Prasad.
Chatterjee, Sj. Haripada.	Mandal, Sj. Umesh Chandra.
Chaudhuri, The Hon'ble Rai Harendra Nath.	Mookerjee, The Hon'ble Kalipada.
	Murarka, Sj. Basantlal.
Das, Sj. Radha Nath.	Naskar, Sj. Ardhendu Sekhar.
Das Gupta, Sri Khagendra Nath.	Naskar, The Hon'ble Hem Chandra.
De, Sj. Kanai Lal.	Panja, The Hon'ble Jadabendra Nath.
Dolui, Sj. Harendra Nath.	Pentony, Mr. L. R.
Dutt-Mazumdar, The Hon'ble Niharendu.	Pramanik, Sj. Rajani Kanta.
Gayen, Sj. Arabinda.	Roy, The Hon'ble Dr. Bidhan Chandra.
Ghose, Sj. Bimal Comar.	Roy, Sj. Jajneswar.
Golam Hamidur Rahman, Janab.	Roy, Singh Sarker, Sj. Satish Chandra.
Gomes, Mr. D.	Sarker, The Hon'ble Nalini Ranjan.
Haldar, Sj. Kuber Chand.	Sen, The Hon'ble Prafulla Chandra.
Mahanty, Sj. Charu Chandra.	Shamsul Huq, Janab.
Mahtab, Sj. Uday Chand, Maharajadhiraj Bahadur of Burdwan.	

The Ayes being 5 and the Noes 42, the motion was lost.

Mr. SPEAKER: I may say at this stage that I have permitted the Hon'ble Nalini Ranjan Sarker to vote in the Chamber on account of his illness.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that a sum of Rs. 56,41,000 be granted for expenditure under the head "57—Miscellaneous—Expenditure on refugees" during the current year was then put and agreed to.

Sj. SIBNATH BANERJEE: Can we not all vote in the House, Sir? That will save a lot of time.

Mr. SPEAKER: Yes, you can, if you fall sick.

The Hon'ble Dr. BIDHAN CHANDRA ROY: My friend, Mr. Sibnath Banerjee, knows very well how to save time. (Laughter.)

64C—Pre-partition Payments.

The Hon'ble NALINI RANJAN SARKER: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 95,00,000 be granted for expenditure under the head "64C—Pre-partition Payments" during the current year.

The motion was then put and agreed to.

Transfer to Contingency Fund of West Bengal.

The Hon'ble NALINI RANJAN SARKER: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 50,00,000 be granted for expenditure under the head "Transfer to Contingency Fund of West Bengal" during the current year.

The motion was then put and agreed to.

Loans and Advances bearing interest.

The Hon'ble NALINI RANJAN SARKER: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 29,95,000 be granted for expenditure under the head "Loans and Advances bearing interest" during the current year.

Mr. SPEAKER: Mr. Banerjee, there is a cut motion in your name. The first portion is out of order and the second is in order.

Sj. SIBNATH BANERJEE: Sir, I beg to move that the demand of Rs. 29,95,000 for expenditure under the head "Loans and Advances bearing interest" be reduced by Rs. 100. I move this in order to raise a discussion about not granting a loan to Howrah Municipality.

I want to speak after I hear from the Hon'ble Minister

Mr. SPEAKER: He will not speak now. He will give a reply.

Sj. SIBNATH BANERJEE: আমরা এখানে দেখতে পাচ্ছি যে ২৯ লক্ষ টাকা চাওয়া হয়েছে। তার মধ্যে loan to municipality অতি সামান্য—১ লক্ষ ৫৪ হাজার টাকা। Advance to cultivation ২০ লক্ষ। এর মধ্যে দেখছি commission to হাওড়া Municipality. এই বিলে শ্রীরামপুরকে কেন প্রাধান্য দিচ্ছেন জানি না। বাংলা কংগ্রেসের প্রেসিডেণ্ট সেই জেলার লোক, সেইজন্য কি না জানি না। কিন্তু হাওড়ার এই যে জলের কলের জন্য হাওড়া মিউনিসিপালিটি টাকা চেয়েছিল, কেন তা পাচ্ছে না? Chief Whip সেখানকার লোক থাকা সত্ত্বেও এই টাকা কেন বের করতে পারছেন না? এই টাকার প্রয়োজন আছে। হাওড়া মিউনিসিপালিটির ধাঙ্গড়, ম্যাথরদের জন্য বাড়ী তৈরী করে দেবার জন্য ৪ লক্ষ টাকার Scheme অনেক দিন থেকেই আছে কিন্তু সেই বাড়ী হচ্ছে না। আমরা দেখেছি যে যখনই strikeএর notice দেওয়া হয় তখনই তারা ভাল ভাল Schemeএর কথা বলে। কিন্তু তাদের বাড়ী দেওয়া হচ্ছে না। আজ তাদের নোটিশ দেওয়া হয়েছে—তোমরা এখান থেকে চলে যাও। আজ পর্য্যন্ত ৯০০ টাকা মাসিক ভাড়া হিসাবে, ৩ লক্ষ টাকা দাঁড় হয়েছে। অথচ যদি ৪ লক্ষ টাকা Government থেকে loan হিসাবে পেতো, তাহলে হাওড়া মিউনিসিপ্যালিটির একটা সমস্যা মিটতো। এদিকে তো Congress এর নাম করে, অনেক কথা বলা হয়, হরিজনদের কথা বলা হয়। অথচ হাওড়া মিউনিসিপ্যালিটী এলেকায় মেথরদের ঘর থেকে তাড়ানোর ব্যবস্থা হয়েছে। এই টাকাটা Supplementary Budgetএ না থাকলেও, কোন দিক থেকে যোগাড় করে, এই loanটা তাদের যেন দেন, মেথরের ঘর না থাকলে জনসাধারণের পক্ষে একটা মস্ত বিপদের কারণ থাকে।

Sj. UMESH CHANDRA MANDAL: Mr. Speaker, Sir, before passing the grant I draw the attention of the Hon'ble Minister to the fact that only Rs. 5,000 was given as advance to the cultivators of Cooch Behar. The population of Cooch Behar is 7 lakhs, about 30 per cent. of the population of West Bengal. If we exclude the non-agriculturists the percentage of Cooch Behar cultivators stands at 25 per cent. Out of the whole demand of 20 lakhs Cooch Behar is entitled to get in proportion at least 80 thousand. Out of this 80 thousand only 5 thousand was given to Cooch Behar cultivators. The Cooch Behar cultivators' condition is much worse than the condition of the cultivators of other districts; hence the crop of Cooch Behar failed last year and the price of rice in Cooch Behar district is higher

than the price in other districts. The price of rice is Rs. 50 per maund in Cooch Behar. So I appeal to the Hon'ble Minister to supply at least 10 thousand maunds of rice from the Dinajpur stock which is about 4 lakh maunds. Moreover, I appeal to the Hon'ble Minister to grant increased loan to the cultivators of Cooch Behar; otherwise the crop of Cooch Behar will fail permanently.

The Hon'ble NALINI RANJAN SARKER: শ্রীযুত শিবনাথ ব্যানার্জি মহাশয় হাওড়া মিউনিসিপ্যালিটির কথা তুলে যে বলেছেন, যে হাওড়া মিউনিসিপ্যালিটির প্রতি গভর্ণমেণ্টের দৃষ্টি নাই একথাটা ঠিক নয়। আমরা হাওড়া সম্বন্ধে এ পর্য্যন্ত ২১ লক্ষ টাকা loan দিয়েছি। তারপরে আর আটবার loan চাওয়া হয়। সেসব নিয়ে তাদের সঙ্গে লেখাপড়া চলেছে। আমার যে বন্ধু কুচবিহারের কৃষি-ঋণ দেওয়ার কথা বলেছেন, সে সম্বন্ধে Agriculture Departmentএর Minister বিবেচনা করে দেখবেন।

The motion of Sj. Sibnath Banerjee that the demand of Rs. 29,95,000 for expenditure under the head "Loans and Advances bearing interests" during the current year be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Nalini Ranjan Sarker that a sum of Rs. 29,95,000 be granted for expenditure under the head "Loans and Advances bearing interest" during the current year, was then put and agreed to.

GOVERNMENT BILLS.

The Bengal Electricity Duty (West Bengal Amendment) Bill, 1950.

The Hon'ble NALINI RANJAN SARKER: Sir, I beg to introduce the Bengal Electricity Duty (West Bengal Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble NALINI RANJAN SARKER: Sir, I beg to move that the Bengal Electricity Duty (West Bengal Amendment) Bill, 1950, be taken into consideration.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill, was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill, was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill, was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill, was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill, was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill, was then put and agreed to.

The Hon'ble NALINI RANJAN SARKER: Sir, I beg to move that the Bengal Electricity Duty (West Bengal Amendment) Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Bill, 1950.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to introduce the Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the Bengal, Agra and Assam Civil Courts (West Bengal Amendment), Bill, 1950, be taken into consideration.

Sir, the Bill is intended to increase the pecuniary jurisdiction of Munsifs. Under the existing law Munsifs may try suits up to the value of Rs. 1,000. Certain Munsifs may be specially empowered to try suits up to the value of Rs. 2,000; and in places where there are Courts of Subordinate Judges Munsifs may be vested with special jurisdiction up to Rs. 3,500. That is the existing state of affairs so far as legal proceedings are concerned. The existing jurisdiction however has proved to be inadequate on account of the sharp rise in land value. Suits concerning property which could previously be filed before Munsifs cannot now be so filed because of the enhancement of land value. Litigants have been put to considerable difficulty, because they have to go to the Courts of Subordinate Judges at Sadar for suits which were previously tried by Munsifs in the outlying subdivisions. Government have received many representations for posting Subordinate Judges at outlying subdivisions and stations, but that has not been considered as the proper remedy. An increase, on the other hand, of the pecuniary jurisdiction of Munsifs is obviously called for. It is therefore proposed to provide that Munsifs should ordinarily try suits up to the value of Rs. 2,000, and in special cases on the recommendation of the High Court certain Munsifs may be vested with powers to try suits up to the value of Rs. 5,000. This enhanced power will of course be given to senior officers only. By this method without increasing the cost of judicial administration litigants will get the benefit of going to courts of law on such property which before the war and the rise of prices they could have taken to particular courts. The anomaly arose because of the sharp rise of prices. This Bill seeks to remedy the anomaly arising out of the money value having been inflated. I therefore hope that all sections of the House will agree that this Bill removes a great deal of the inconvenience, and they will extend their support to this Bill. I commend my motion to the acceptance of the House.

The motion of the Hon'ble Niharendu Dutt-Mazumdar that the Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Bill, 1950, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill, was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill, was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill, was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill, was then put and agreed to.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The Criminal Procedure (West Bengal Amendment) Bill, 1950.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to introduce the Criminal Procedure (West Bengal Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the Criminal Procedure (West Bengal Amendment) Bill, 1950, be taken into consideration.

Sir, in the existing law there are two difficulties in the way of taking prompt action against false impersonation in election. In view of the elections that will be coming ahead, it is necessary to remedy the defects in the existing law. The offender cannot be arrested on the spot without a warrant according to the existing provisions of law. Correct particulars about him may not be ascertained, and he may avoid arrest altogether after having successfully impersonated at elections. Even if he is arrested later on the sanction of Government has to be obtained before a Court can take cognizance of the offence.

To obviate the first difficulty it is proposed to amend Schedule II of the Criminal Procedure Code so that a false personator at an election may be arrested without a warrant. This is an important provision which this Bill seeks to make.

To obviate the second difficulty it is proposed to amend section 96 of the Criminal Procedure Code under which the sanction of the State Government is required. This provision will result in prompt punishment of offenders and will also appreciably reduce the number of cases of false personation. It is known that those who are going for false personation may be reassured on account of the fact that they could not be arrested on the spot under the law. Therefore, this provision remedying that defect will have naturally a deterrent effect against the proclivities of persons for false personation at election.

I hope that under the new Constitution when democracy is to be enacted for the first time on the basis of adult suffrage, all sections of the House will welcome this Bill, and I, therefore, commend my motion to the acceptance of the House.

The motion of the Hon'ble Niharendu Dutt-Mazumdar that the Criminal Procedure (West Bengal Amendment) Bill, 1950, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill, was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill, was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill, was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill, was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the Criminal Procedure (West Bengal Amendment) Bill, 1950, as settled in the Assembly, be passed.

Sj. SIBNATH BANERJEE: মিঃ স্পীকার, স্যার, যে বিলটা পাশ করা হ'ল এটা খুব ভাল। কিন্তু এর একটা বিপদও আছে। On the spot arrest করা প্রয়োজন, যারা impersonation করে। কিন্তু এখানে তার কোন উল্লেখ নাই। এটাকে যে misuse করা হবে না তার কোন guarantee আমরা পাচ্ছি না। আমরা বহু বিল ও Act দেখেছি যার দ্বারা misuse of power করা হচ্ছে। বিলটি খুব ভাল, তবে এইটুকু মন্ত্রিমণ্ডলীকে জানিয়ে দিচ্ছি যাতে এটা misuse না হয়। Political opponentদের ধরে impersonationএর নামে arrest করে রেখে দেওয়া যদি হয়, তার কোন রক্ষাকবচ এর মধ্যে দেখা যাচ্ছে না। সে সম্বন্ধে একটা ব্যবস্থা করা দরকার। এই weaponএর দ্বারা ব্যবস্থা করে Hon'ble Niharendu Dutt-Mazumdar তাঁর political opponentদের ধরে ধরে নিয়ে তাঁর electionকে সোজা করে নেবেন। আমরা আজ দেখতে পাচ্ছি I. N. T. U. C. নিজেদের দাঁড়াবার রাস্তা নিরঙ্কুশ করে নিচ্ছেন। তাঁরা electionএর সময় আবার কি করবেন তার কোন প্রমাণ নেই। গত electionএর ইতিহাসে দেখা যায় যে এইরকম জিনিষটা বারবার হয়ে আসছে এবং বিশেষ করে খুব বেশী রকম হাওড়া ডিষ্ট্রীক্টেই দেখা যায় এবং যাদের ধরা হয়েছে তাদের বহু লোককে এখনও আটক রাখা হয়েছে। এরা বলেছেন যে আমাদের হাতে খুব বেশী অধিকার নেই, কিন্তু আমরা জানি যাদের ধরিয়ে দিয়েছে তাদের আটকে রেখেছেন Presiding Officer ও পুলিশ, যতক্ষণ পর্য্যন্ত election চলে। আমার ধারণা ছিল Presiding Officerএর সেই অধিকার আছে। নীহারেন্দু দত্ত-মজুমদার মহাশয় বললেন সেই অধিকার আগে ছিল না। তবে কি তাঁরা সেটা বে-আইনিভাবে আটক করেছেন? এখন এই আইন তাঁদের হাতে দেওয়া হ'ল এতে political opponentদের পক্ষে খুব বিপদের কথা। দেখা গিয়েছে যে যখন একই দলের মধ্যে election হয়, সেখানেও মাথা কাটাকাটি ও কোর্টে দৌড়াদৌড়ি করতে হয়। কাজেই ভরসা পাওয়া যাচ্ছে না যে যাদের হাতে অস্ত্র দেওয়া হ'ল, তাঁরা যে এর সদ্ব্যবহার করবেন, অপব্যবহার করবেন না। যদি এই powerএর misuse হয় তাহ'লে তখন তার ব্যবস্থা আমরা করব। আপাততঃ এই বিলের ব্যবস্থাটা ভাল।

Janab SYED BADRUDDUJA: Sir, intrinsically the provision seems to be perfectly all right. But from our personal experience during elections we apprehend that this wide power should not be vested. We have got to be satisfied as to who will use this power. Even when powers are not given, we have seen in the past that there is every apprehension of these powers being abused when passions are roused and tempers are frayed. So we should not vest a particular section of people with these powers, and I personally feel that no such wide powers should be vested in any particular class of officers who have hitherto abused powers. So I feel that there is no necessity for these powers being vested at this stage.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I can assure that none but prospective wrong-doers need be afraid of the provision which is sought to be made. My honourable friend Mr. Sibnath Banerjee apprehends that as a result of this provision it will be somewhat difficult for political opponents of a particular group. I can assure him that no political opponents who would not resort to false impersonation at election need be afraid, and I convey to him this assurance also that this is merely a permissive power given to responsible officers alone who will be vested to exercise these powers and they will do so at considerable risk to themselves if they at all misuse these powers, as that may even upset the election. If any abuse of this power is made and any wrongful arrest is made, that will be forthwith proved before an Election Tribunal or a court of law which will set aside the election. Therefore, I think the apprehension is without any foundation whatsoever. I am glad to find that both my honourable friends in the Opposition, Mr. Sibnath Banerjee and Janab Badrudduja have supported the Bill on its intrinsic merits, and I hope that what I have already stated will disarm all unfounded apprehensions on account of the provision which the Legislature is going to make. I therefore commend my Bill to the acceptance of the House.

The motion of the Hon'ble Niharendu Dutt-Mazumdar that the Criminal Procedure (West Bengal Amendment) Bill, 1950, as settled in the Assembly be passed, was then put and agreed to.

(At this stage the House was adjourned for fifteen minutes.)

(After adjournment.)

The Criminal Procedure (West Bengal Second Amendment) Bill, 1950.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to introduce the Criminal Procedure (West Bengal Second Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the Criminal Procedure (West Bengal Second Amendment) Bill, 1950, be taken into consideration.

Sir, this Bill owes its origin to the recommendations of the Bengal Administrative Enquiry Committee, 1944-45, which is known as the Rowlands Committee. This Committee thought that the burden on the District Magistrates was too heavy and one of their suggestions to lighten the burden was that appeals in second and third class cases might be heard by the Sessions Judge and the Subordinate Judges. This suggestion may be accepted with benefit—that is the view Government have taken. At the time when the committee came to its finding, the burden on the District Magistrates was considered heavy—it has grown much heavier still today—and, therefore, it has been found necessary to come forward before this House with this Bill. The suggestion is that we should transfer a part of the judicial work of the District Magistrates to the Judges which is also incidentally a step forward towards the separation of the Judiciary from the Executive, that being one of the directive principles of State policy under the Constitution of the Indian Republic. In the present Bill it is proposed to empower the State Government to specify by notification the districts in which appeals from Second and Third Class Magistrates will go to the Sessions Judge or Assistant Sessions Judges. In districts not so specified, the appeals should go, as at present, to the District Magistrates. Thus the provision of the Bill is flexible enough to suit the special circumstances, if any, in particular districts. Therefore, Sir, it is a permissive

clause whereby, where necessary, where the District Magistrates are heavily overburdened, they might be relieved by their being relieved of having to hear appeals from Second and Third Class Magistrates which could be heard henceforth by the District Judge or the Subordinate Judges if the Government issues a notification to that effect. That is all that this Bill seeks to enact. In view of the present-day needs and circumstances prevailing in the administration of the districts, it is necessary that the District Magistrates should be left free to do their general work of administration and also it will be a step towards the separation of the Judiciary from the Executive which has been very much clamoured for. I, therefore, hope no one will have any objection to this provision and I commend my Bill to the acceptance of the House.

The motion of the Hon'ble Niharendu Dutt-Mazumdar that the Criminal Procedure (West Bengal Second Amendment) Bill, 1950, be taken into consideration was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the Criminal Procedure (West Bengal Second Amendment) Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The Cooch-Behar (Assimilation of State Laws) Bill, 1950.

The Hon'ble RAI HARENDRA NATH CHAUDHURI: Sir, as the Bill relates to the Hon'ble Judicial Minister's department, he is going to move this Bill.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to introduce the Cooch-Behar (Assimilation of State Laws) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the Cooch-Behar (Assimilation of State Laws) Bill, 1950, be taken into consideration.

Sir, after the merger of the former State of Cooch-Behar into West Bengal State, certain laws were extended to the new district of Cooch-Behar, but that has not been adequate. There are other matters in relation to which the Cooch-Behar laws have to be assimilated into the laws of West Bengal.

Now, in connection with this Bill I find that a friend has given notice of an amendment to keep the Cooch-Behar Muhammadan Inheritance Act of 1897, that is, Act II of 1897, in force in Cooch-Behar. Inheritance, Sir, is a subject relating to the Concurrent List of the Seventh Schedule to the Constitution of India, but our Bill relates to subjects included in the State List only. So, the suggested reference to the Muhammadan Law of Inheritance is out of place so far as the present Bill in the State Legislature is concerned. As regards subjects included in the Union and Concurrent Lists, the Government of India, I may inform the House, have already taken steps to pass a Bill or promulgate an Ordinance. In that Bill or Ordinance provision has been made for keeping the Cooch-Behar Muhammadan Inheritance Act of 1897 in force in Cooch-Behar. So, no further provision is necessary in our Bill which is before the House. In the circumstances, I hope the honourable member who gave notice of the amendment will appreciate this position and not move his amendment, as I have explained to him already.

Sir, for the information of the House and particularly of the honourable member who gave notice of the amendment, I may tell him that here I have got a copy of the draft Bill of the Government of India, notice for the introduction of which has been given in the Central Legislature. There a provision has been made in the following words: Notwithstanding anything contained in previous sections and sub-sections, the Muslim personal law, the Shariat Application Act, 1897, shall come into force in Cooch-Behar only on such date as the State Government may by notification in the *Official Gazette* appoint and the Cooch-Behar Act II of 1897 known as the Muhammadan Inheritance Act of 1897 shall continue in force in Cooch-Behar until that date and shall on that date cease to be in force except as respects things done or omitted to be done before that date.

I hope this makes the position perfectly clear. As I have already stated according to what is prescribed in the Constitution, this amendment is outside the scope of our present Bill.

Sir, with these words I commend my motion to the acceptance of the House.

The motion of the Hon'ble Niharendu Dutt-Mazumdar that the Cooch-Behar (Assimilation of State Laws) Bill, 1950, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

SJ. SUSIL KUMAR BANERJEE: Sir, with your permission I beg to move that for sub-clause (*1*) of clause 3, the following sub-clause be substituted, namely:—

"(1) All State laws which immediately before the appointed day extend to, or are in force in the State of West Bengal, but do not extend to, or are not in force in, Cooch-Behar, shall, as from that day, extend to, or as the case may be, come into force in, Cooch-Behar".

The Hon'ble NIHARENDU DUTT-MAZUMDAR: I accept the amendment.

The motion was then put and agreed to.

The question that clause 3, as amended, do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Schedule I.

SJ. SUSIL KUMAR BANERJEE: Sir, with your permission I beg to move that for Schedule I to the Bill, the following be substituted, namely:—

SCHEDULE I.

[*See* section 3(*3*).]

(1) The Cooch Behar Village Choukidari Act, 1893 (Cooch Behar Act III of 1893).

Throughout the Act.—For "Fouzdari Ahilkar" *substitute* "District Magistrate".

Preamble.—For "State" *substitute* "district".

Section I.—In sub-clause (*1*), *for* "by a Sanud under his hand and seal", *substitute* "by an order published in the *Official Gazette*"; *for* "State" *substitute* "district".

In sub-clause (*2*), *for* "His Highness the Maharaja Bhup Bahadur in Council", in the two places where they occur *substitute* "the State Government"; *for "Cooch Behar Gazette" substitute "Official Gazette"*.

In the first proviso, *for* "Cooch Behar Municipal Act I of 1885" *substitute* "Cooch Behar Town Committee Act of 1903 (Cooch Behar Act IV of 1903) or the Cooch Behar Municipal Act, 1944 (Cooch Behar Act III of 1944)".

Section VI(A).—In sub-clauses (*1*) and (*3*) *for* "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "the State Government"; *for "Cooch Behar Gazette"*, in the two places where they occur *substitute "Official Gazette"*.

In sub-clause (*2*), *for* "granted a Sanud given under the hand and seal of" *substitute* "given an order in writing by".

Section VI(B).—In clause (*h*), *for* "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "the State Government"; *for "Cooch Behar Gazette" substitute "Official Gazette"*.

Section X.—For "annas 12" *substitute* "Rupees 2" and *for* "one pice or quarter of an anna" *substitute* "two pice or half an anna".

Section XXXIII.—In clause 6th, *for* "State Council" *substitute* "State Government".

In clause 13th, *for* "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "the State Government", and *for "Cooch Behar Gazette" substitute "Official Gazette"*.

Section XLIII.—For "Superintendent of the State" *substitute* "Divisional Commissioner".

Section XLIV.—For "Cooch Behar State" *substitute* "the district of Cooch Behar".

(2) The Cooch Behar Cess Act, 1893 (Cooch Behar Act V of 1893).

Throughout the Act.—For "His Highness the Maharaja in Council", "His Highness in Council" and "His Highness" *substitute* "the State Government" except where otherwise mentioned; *for* "Naib Ahilkar" *substitute* "Deputy Collector"; *for* "Naib Ahilkar of the subdivision" *substitute* "Deputy Collector in charge of the subdivision"; *for* "Revenue Minister" *substitute* "Collector".

Long Title and Preamble.—For "State" *substitute* "district".

Section 2.—Omit definition of "Naib Ahilkar"; in the definitions of "Lakherajdar" and "Mokoraridar", after "State" *insert* "of Cooch Behar before merger".

Section 6.—Omit section 6.

Section 7.—Omit "if he think fit".

Section 18.—For "the State" *substitute* "Government".

Section 25.—For "State Council" *substitute* "Divisional Commissioner or the Board of Revenue".

Section 31.—For "State" *substitute* "Government".

Section 34.—For "His Highness the Maharaja in Council" *substitute* "the Divisional Commissioner and the Board of Revenue"; in the marginal note, *for* "State Council" *substitute* "Divisional Commissioner and Board of Revenue".

Part III, Chapter V.—For the heading "Constitution and Administration of the Communication Improvement Fund" *substitute* "Temporary Provisions".

Section 36.—For section 36, *substitute* the following:—

"Communication Improvement Cess, etc., provisionally to form part of the Consolidated Fund of the State

36. Until the constitution of a District Board for Cooch Behar, the amount produced by the Communication Improvement Cess and all sums levied or recovered as fines, penalties or otherwise in respect of the cess under this Act, shall form part of the Consolidated Fund of the State of West Bengal; and the cost of repair and maintenance of roads; bridges and other means of communication and the cost of construction and maintenance of any other work of public utility shall be paid out of the Consolidated Fund of the State of West Bengal".

Sections 37, 38, 39 and 40.—Omit these sections.

(3) The Cooch Behar Revenue Sales Act, 1897 (Cooch Behar Act V of 1897).

Throughout the Act.—For "Naib Ahilkar" *substitute* "Deputy Collector"; *for* "Revenue Minister" *substitute* "Collector of the district"; *for "Cooch Behar Gazette" substitute "Official Gazette"; for* "Council" *substitute* "Board of Revenue, West Bengal"; and *for* "Civil and Sessions Judge" *substitute* "District Judge".

Long Title.—For "State" *substitute* "district".

Section III.—For "State" *substitute* "Government".

Omit the definition of Naib Ahilkar.

Section IV.—Omit this section.

Section V.—For "as notified under the provisions of the preceding section" *substitute* "fixed under the provisions of the Kist Act, Cooch Behar, 1898 (Cooch Behar Act I of 1898)".

Section VII(A).—For "Revenue Officer" *substitute* "Collector"; *for* "State" *substitute* "Government"; *for* "Section 7 of the Cooch Behar Public Demands Recovery Act (II of 1899)" *substitute* "the Bengal Public Demands Recovery Act, 1913 (Bengal Act III of 1913)".

Sections IX, XIII, XXI, XXVII, XXXII, and XXXIII.—For "State" *substitute* "Government".

Section XVI.—For "State" *substitute* "district".

Section XXXVII.—For the words "Naib Ahilkar may refer to any Sub-Naib Ahilkar subordinate to him" *substitute* "Deputy Collector in charge of a subdivision may refer to any other Deputy Collector or any Sub-Deputy Collector of the same station"; in clause 3, *omit* "or Sub-Naib Ahilkar".

Schedule A.—For "State" *substitute* "Government".

(4) The Kist Act, Cooch Behar, 1898 (Cooch Behar Act I of 1898).

Throughout the Act.—For "State" *substitute* "Government".

(5) The Cooch Behar Town Committee Act of 1903 (Cooch Behar Act IV of 1903).

Throughout the Act.—For "Cooch Behar Gazette" substitute "Official Gazette"; for "His Highness the Maharaja in Council", or "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "State Government"; *for* "His Highness in Council" *substitute* "State Government".

Section V.—In sub-section (*1*3) *for* "His Highness the Maharaja" *substitute* "State Government".

Section VIII.—For "to him may seem fit" *substitute* "may be specified in the notification".

Section XI.—For "Fouzdari Ahilkar" *substitute* "District Magistrate"; *for* "State Engineer" *substitute* "Executive Engineer"; *for* "Naib Ahilkars" *substitute* "Officers".

Section XIII.—For "the State" *substitute* "Government".

Section XV.—For "His Highness the Maharaja" *substitute* "State Government"; *for* "State Funds" *substitute* "Consolidated Fund of the State".

Section XVII.—For "His Highness the Maharaja" *substitute* "State Government".

Section XX.—Omit "provided that when a member of the State Council is also a member of the Town Committee, he and not the Vice-Chairman, shall preside".

Section XXIX.—For "The accounts of the Town Committee shall be subject to audit by the Audit Office of the State in the way that accounts of all other departments of the State are so subject" *substitute* "The Town Committee shall make arrangements, subject to the approval of the State Government, for the examination and audit of accounts of the Committee and may direct the publication of such accounts".

Section XLIIIA.—For this section *substitute* the following:—

"Powers and duties of chaukidars appointed under this Act.

XLIIIA. Chaukidars appointed under this Act shall exercise all the powers and perform all the duties and be subject to all the liabilities of police officers as prescribed by any law for the time being in force so far as such powers, duties and liabilities are not inconsistent with or otherwise expressly provided for by this Act".

Sections XLV and XLVI.—For "Fouzdari Ahilkar" *substitute* "District Magistrate".

Section XLVII.—For "State" *substitute "Government".*

Section L.—For "State" *substitute "Government".*

Section LXVIII.—For "State" *substitute* "Government".

Section LXLII.—For "His Highness the Maharaja" *substitute* "Government".

Section C.—For "State" *substitute* "Government".

(6) The Cooch Behar Tenancy Act, 1910 (Cooch Behar Act V of 1910).

Throughout the Act.—For "Naib Ahilkar" *substitute* "Deputy Collector"; *for* "State Council" *substitute* "Government"; *for* "State" wherever it occurs in the expression "not paying revenue to the State", *substitute* "Government".

Preamble.—For "State" *substitute* "district".

Section 1.—For sub-section (*2*) substitute—

"(*2*) It shall apply to the whole of the district of Cooch Behar".

Section 3.—In clause (*a*) of sub-section (*1*) *for* "State" *substitute* "Government"; in sub-section (*3*) *omit* "in the State"; in sub-section (*5*) *for* "State" *substitute* "Government"; in sub-section (*8*) *for* "State" *substitute* "Government"; in sub-section (*9*) *for* "State" *substitute* "Government"; *omit* sub-section (*16*); in sub-section (*20*) *for* "State" *substitute* "district"; in sub-section (*23*) *for* "State" *substitute* "Government" and *omit* "in the State"; in sub-section (*27*) *omit* "as introduced into the State".

Section 4.—Omit "as introduced into the State".

Section 5.—In clause (*a*) *for* "State" *substitute* "Government".

Section 8.—In the explanation, *for* "State" *substitute* "Government".

Section 10.—In the proviso *for* "State" *substitute* "district".

Section 18A.—For "State" *substitute* "Government".

Section 34.—Omit "of the State".

Section 36.—In sub-section (*1*) *for* "His Highness in Council" *substitute* "State Government".

Section 39A.—In sub-section (*1*) *omit* "as introduced into the State".

Section 39B.—For "the Cooch Behar Limitation Act, 1921" *substitute* "any other law for the time being in force".

Section 41.—Omit "in force in the State".

Section 47.—For "Civil Judge", where it occurs for the first time *substitute* "District Judge, Additional Judge or Subordinate Judge"; *for* "His Highness in Council" *substitute* "High Court"; in the proviso *for* "Civil Judge" *substitute* "District Judge".

Section 49.—For the words "Revenue Minister" in the second paragraph *substitute* "Dewan or Revenue Minister of Cooch Behar or by the Chief Commissioner or the Collector".

Section 58.—In the proviso to sub-section (*2*) *for* "His Highness in Council" *substitute* "State Government".

Section 65.—In sub-section (*3*) after "appears" *insert* "to the Court" and *for* "Civil Judge" *substitute* "District Judge".

Section 66.—For "State" *substitute* "district".

Section 68A.—In sub-section (*2*) *for* "Civil Judge" *substitute* "District Judge".

Section 73.—In sub-section (*4*) *for* "State" *substitute* "Government".

Section 79.—*For* "Revenue Minister" *substitute* "Collector".

Section 82.—*Omit* "as introduced into the State" from both the sub-sections (*1*) and (*2*).

Section 88.—*For* "State" *substitute* "Government".

Section 89.—*For* "State" *substitute* "Government".

Schedule V.—In Part II, *for* "Civil Judge" *substitute* "District Judge"; *for* "Revenue Minister" *substitute* "Collector".

In Part III, *for* "Cooch Behar Limitation Act, 1921" *substitute* "Indian Limitation Act, 1908".

(7) The Cooch Behar Municipal Act, 1944 (Cooch Behar Act III of 1944).

Throughout the Act.—*For* "State" *substitute* "district", except where otherwise specifically provided; *for* "*Cooch Behar Gazette*" *substitute* "*Official Gazette*"; *for* "Durbar" *substitute* "State Government"; *for* "Fouzdari Ahilkar" *substitute* "District Magistrate".

Section 1.—In sub-section (*2*) *omit* "after publication in the *Cooch Behar Gazette* with the assent of His Highness the Maharaja Bhup Bahadur".

Section 4.—In sub-clause (*b*) of clause (*10*) *for* "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "State Government".

Omit clause (*15*).

Section 15.—*For* clause (*ii*) of sub-section (*2*) *substitute* "(*ii*) is a citizen of India, and".

Section 25.—In sub-section (*1*) *omit* "and section 171J of the Cooch Behar Penal Code concerning an election under this Act"; in clause (*c*) of sub-section (*1*) *omit* "section 171J of the Cooch Behar Panal Code concerning an election under this Act and"; in sub-section (*3*) *omit* "and section 171J of the Cooch Behar Penal Code concerning an election under this Act".

Section 26.—In sub-section (*1*) *for* "Civil Judge of the State" *substitute* "District Judge"; in clause (*a*) of sub-section (*2*) *insert* "1908" *after* "Code of Civil Procedure".

Section 33.—In clause (*b*) of sub-section (*1*), *for* "His Highness the Maharaja Bhup Bahadur, his heirs and successors" *substitute* "the Union of India".

Section 60.—*For* "State" *substitute* "Government".

Section 63.—In sub-section (*3*), *for* "Cooch Behar Registration Act, 1921" *substitute* "Indian Registration Act, 1908".

Section 65.—In clause (*c*), *for* "State funds by His Highness the Maharaja Bhup Bahadur or by the Durbar" *substitute* "Consolidated fund of the State".

Section 74.—*For* this section *substitute* the following:—

"Audit of accounts

74. The accounts of the Municipal Funds shall be audited at such times and in such manner as the State Government may prescribe".

Section 122.—In the first proviso to sub-section (*1*) *for* "State" *substitute* "Government".

Section 190.—For clauses (*a*) and (*b*) *substitute*—

"(*a*) prescribing the standard weights and measures to be used within the municipality, namely,—

(*i*) Government standard weights, that is to say, one maund consisting of 40 seers, one seer consistisg of 80 tolas and one tola consisting of 180 grains; or

(*ii*) a standard cubit consisting of 18 inches for the measure of commodities other than land; or

(*iii*) both the weights and the measure of length mentioned in sub-clauses (*i*) and (*ii*), respectively;

(*b*) providing standards of the weights and measures so prescribed".

Section 191.—For sub-section (*1*) *substitute*—

"(*1*) Where the Commissioners of any municipality have made by-laws under section 190 prescribing standard weights and measures to be used within the municipality, they may, at a meeting by an order published in the prescribed manner, prohibit the use within the municipality of any maund, seer or tola or any cubit measure other than such as conform with the standard prescribed in the said by-laws".

In sub-section (*2*) *for* the words "when such standard weights or measures or both are in force", *substitute* "when such order has been published".

Section 193.—For "Cooch Behar Food Adulteration Act, 1941" *substitute* "Bengal Food Adulteration Act, 1919".

Sections 221 and 224.—For "Cooch Behar Penal Code" *substitute* "Indian Penal Code".

Section 227.—In clause (*c*) of sub-section (*1*) *for* "His Highness the Maharaja Bhup Bahadur of Cooch Behar" *substitute* "State Government".

Mr. SPEAKER: You need not read the whole thing. The Schedule may be taken as read without creating any precedent.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I accept the amendment moved by Sj. Susil Kumar Banerjee.

Sj. SIBNATH BANERJEE: Sir, he has not properly moved the amendment. Mr. Speaker made some suggestions and he has to follow them.

Sj. SUSIL KUMAR BANERJEE: I have already told "I beg to move".

Sj. SIBNATH BANERJEE: You may beg but you have not got the permission which is a different matter.

Mr. SPEAKER: I said "you need not read the whole thing". Of course I did not want that to be treated as a precedent. It is a very long Schedule and it may be taken as read.

The motion of Sj. Susil Kumar Banerjee that for Schedule I to the Bill the following be substituted, namely:—as it is on the agenda paper——.

Sj. SIBNATH BANERJEE: On a point of order, Sir. The least that should be done as regards this Schedule is that the Hon'ble the Chief Whip has to read it in this House. The amendment he has moved is that instead of this Schedule this be substituted.

Mr. SPEAKER: When the House gave him permission to take it as read, you raised no objection.

Sj. SIBNATH BANERJEE: The permission was to allow him to move and not to take it for granted as read.

Mr. SPEAKER: Most probably you were inattentive then.

Sj. SIBNATH BANERJEE: In that case the business of the House becomes almost a farce. The Schedule has to be read before the House. It is our right to listen to him. It is an infliction on us, but we have to suffer it.

Mr. SPEAKER: So far as this question is concerned, I asked the leave of the House to take the Schedule as read, and you had not raised any objection at that time. Therefore, your objection with regard to this "not reading of the Schedule" cannot be entertained.

Sj. SIBNATH BANERJEE: Sir, I could not follow you. Will you kindly speak through the mike?

Mr. SPEAKER: I have already pointed out to you about this and the mike is already working.

The position is this. Ordinarily the whole of the motion is read, but because this motion is a very big one and it will take a very long time, therefore I said that with the permission of the House he may be allowed not to actually read it. The entire Schedule may be taken as read, of course without creating any precedent. You did not raise any objection to this at that time. That was moved. Therefore, it must be taken to be the fact that the House has given permission to move the motion without reading the Schedule. Now, I am putting the motion to vote, of course, if you insist, I will have to read the whole thing. Am I to understand that your objection now is that I should read the whole thing.

Sj. SIBNATH BANERJEE: I say it is the Chief Whip who has got to read it.

Mr. SPEAKER: I think the Speaker will have to read it. Well, I am prepared to read it.

Sj. SIBNATH BANERJEE: If the Chief Whip is exempted, then I am afraid the Speaker will have to read it.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I want to say one word about this. I think my honourable friend did not appreciate this fact that after the Chief Whip had moved the amendment he asked for permission to have the following portion to be taken as read. The Hon'ble Speaker with the permission of the House declared that this is to be taken as read. I, therefore, think that after that it will not be fair to insist that the Schedule should be read. In fact if the Speaker had not declared this and if my honourable friend had insisted that it should be read out, then we would have certainly no objection to its being read out. I therefore think that after the Speaker has declared it to be taken as read with the permission of the House, the House will certainly take it as read. Likewise while putting it to vote the Schedule has been circulated and it is before every one of us. If my honourable friend opposite has no objection, then with the permission of the House this may also be taken as read. Of course, if my friend insists, this will have to be read; there is no question about it. But I hope that he will not insist.

Janab SYED BADRUDDUJA: On a point of privilege, Sir. When this motion was being moved, my friend Mr. Sibnath Banerjee raised his objection.

(Cries of "no, no" from the Treasury Benches.)

Mr. SPEAKER: I declared that there was no objection.

Janab SYED BADRUDDUJA: I am sorry, Sir. If you have declared that actually and there was no objection, then it will be unfair to insist on your reading it out.

Mr. SPEAKER: The position is that at that time there was no objection. Now, so far as my putting it to vote is concerned, I have decided to read the whole thing. I am thinking that some objection may be raised later on that it was not properly passed.

Janab SYED BADRUDDUJA: Sir, we do not insist on your reading it. It is an insult to the Chair.

Sj. SIBNATH BANERJEE: May I make my submission, Sir? As I said several times, the mike arrangement is bad, and some of us cannot make themselves heard. Unfortunately, when the Chief Whip was moving his motion I could not follow him. I think he had not followed the suggestions of the Speaker. What the upshot was I also could not understand. And if in the mean time you now declare that we gave permission that was under a misunderstanding because we did not give permission for that is a privilege of the House. We are not dilatory when we ask a printed amendment to be read out. When a Schedule is before the House in the form of an amendment we would like to hear the Schedule. That is only fair to the House, and the Chief Whip who moved the amendment should have read it.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, there are some people who like to hear their own voice and there are others who do not (laughter).

Mr. SPEAKER: When the mover moved his amendment he asked for permission not to read out the Schedule and no voice was raised at that time that he must read out the Schedule. So I took it that the House had taken it as read. Our practice has been to take such long printed matters as read. Therefore I took it that the consent of the House was given not to read out the Schedule. If, however, the honourable member wishes me at this stage when I am putting it to vote to read it out, I have no objection. I shall therefore read the Schedule myself.

The motion of Sj. Susil Kumar Banerjee that for Schedule I to the Bill, the following be substituted, namely:—

SCHEDULE I.

[*See* section 3(3).]

(1) The Cooch Behar Village Choukidari Act, 1893 (Cooch Behar Act III of 1893).

Throughout the Act.—For "Fouzdari Ahilkar" *substitute* "District Magistrate".

Preamble.—For "State" *substitute* "district".

Section 1.—In sub-clause (*1*), *for* "by a Sanud under his hand and seal", *substitute* "by an order published in the *Official Gazette*"; *for* "State" *substitute* "district".

In sub-clause (*2*), *for* "His Highness the Maharaja Bhup Bahadur in Council", in the two places where they occur *substitute* "the State Government"; *for "Cooch Behar Gazette" substitute "Official Gazette".*

In the first proviso, *for* "Cooch Behar Municipal Act I of 1885" *substitute* "Cooch Behar Town Committee Act of 1903 (Cooch Behar Act IV of 1903) or the Cooch Behar Municipal Act, 1944 (Cooch Behar Act III of 1944)".

Section VI(A).—In sub-clauses (*1*) and (*3*) *for* "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "the State Government"; *for* "*Cooch Behar Gazette*", in the two places where they occur *substitute* "*Official Gazette*".

In sub-clause (*2*), *for* "granted a Sanud given under the hand and seal of" *substitute* "given an order in writing by".

Section VI(B).—In clause (*h*), *for* "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "the State Government"; *for* "*Cooch Behar Gazette*" *substitute* "*Official Gazette*".

Section X.—For "annas 12" *substitute* "Rupees 2" and *for* "one pice or quarter of an anna" *substitute* "two pice or half an anna".

Section XXXIII.—In clause 6th, *for* "State Council" *substitute* "State Government".

In clause 13th, *for* "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "the State Government", and *for* "*Cooch Behar Gazette*" *substitute* "*Official Gazette*".

Section XLIII.—For "Superintendent of the State" *substitute* "Divisional Commissioner".

Section XLIV.—For "Cooch Behar State" *substitute* "the district of Cooch Behar".

(2) The Cooch Behar Cess Act, 1893 (Cooch Behar Act V of 1893).

Throughout the Act.—For "His Highness the Maharaja in Council", "His Highness in Council" and "His Highness" *substitute* "the State Government" except where otherwise mentioned; *for* "Naib Ahilkar" *substitute* "Deputy Collector"; *for* "Naib Ahilkar of the subdivision" *substitute* "Deputy Collector in charge of the subdivision"; *for* "Revenue Minister" *substitute* "Collector".

Long Title and Preamble.—For "State" *substitute* "district".

Section 2.- Omit definition of "Naib Ahilkar"; in the definitions of "Lakherajdar" and "Mokoraridar", after "State" *insert* "of Cooch Behar before merger".

Section 6.—Omit section 6.

Section 7.—Omit "if he think fit".

Section 18.—For "the State" *substitute* "Government".

Section 25. For "State Council" *substitute*" "Divisional Commissioner or the Board of Revenue".

Section 31.—For "State" *substitute* "Government".

Section 34.—For "His Highness the Maharaja in Council" *substitute* "the Divisional Commissioner and the Board of Revenue"; in the marginal note, *for* "State Council" *substitute* "Divisional Commissioner and Board of Revenue".

Part III, Chapter V.—For the heading "Constitution and Administration of the Communication Improvement Fund" *substitute* "Temporary Provisions".

Section 36.—For section 36, *substitute* the following:—

"Communication Improvement Cess, etc., provisionally to form part of the Consolidated Fund of the State.

36. Until the constitution of a District Board for Cooch Behar, the amount produced by the Communication Improvement Cess and all sums levied or recovered as fines, penalties or otherwise in respect of the cess under this Act, shall form part of the Consolidated Fund of the State of West Bengal; and the cost of repair and maintenance of roads; bridges and other means of communication and the cost of construction and maintenance of any other work of public utility shall be paid out of the Consolidated Fund of the State of West Bengal".

Sections 37, 38, 39 and 40.—Omit these sections.

(3) The Cooch Behar Revenue Sales Act, 1897 (Cooch Behar Act V of 1897).

Throughout the Act.—For "Naib Ahilkar" *substitute* "Deputy Collector"; *for* "Revenue Minister" *substitute* "Collector of the district"; *for "Cooch Behar Gazette" substitute "Official Gazette"; for* "Council" *substitute* "Board of Revenue, West Bengal"; and *for* "Civil and Sessions Judge" *substitute* "District Judge".

Long Title.—For "State" *substitute* "district".

Section III.—For "State" *substitute* "Government".

Omit the definition of Naib Ahilkar.

Section IV.—Omit this section.

Section V.—For "as notified under the provisions of the preceding section" *substitute* "fixed under the provisions of the Kist Act, Cooch Behar, 1898 (Cooch Behar Act I of 1898)".

Section VII(A).—For "Revenue Officer" *substitute* "Collector"; *for* "State" *substitute* "Government"; *for* "Section 7 of the Cooch Behar Public Demands Recovery Act (II of 1899)" *substitute* "the Bengal Public Demands Recovery Act, 1913 (Bengal Act III of 1913)".

Sections IX, XIII, XXI, XXVII, XXXII and XXXIII.—For "State" *substitute* "Government".

Section XVI.—For "State" *substitute* "district".

Section XXXVII.—For the words "Naib Ahilkar may refer to any Sub-Naib Ahilkar subordinate to him" *substitute* "Deputy Collector in charge of a subdivision may refer to any other Deputy Collector or any Sub-Deputy Collector of the same station"; in clause 3, *omit* "or Sub-Naib Ahilkar".

Schedule A.—For "State" *substitute* "Government".

(4) The Kist Act, Cooch Behar, 1898 (Cooch Behar Act I of 1898).

Throughout the Act.—For "State" *substitute* "Government".

(5) The Cooch Behar Town Committee Act of 1903 (Cooch Behar Act IV of 1903).

Throughout the Act.—For "Cooch Behar Gazette" substitute "Official Gazette"; for "His Highness the Maharaja in Council", or "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "State Government"; *for* "His Highness in Council" *substitute* "State Government".

Section V.—In sub-section *(13) for* "His Highness the Maharaja" *substitute* "State Government".

Section VIII.—For "to him may seem fit" *substitute* "may be specified in the notification".

Section XI.—For "Fouzdari Ahilkar" *substitute* "District Magistrate"; *for* "State Engineer" *substitute* "Executive Engineer"; *for* "Naib Ahilkars" *substitute* "Officers".

Section XIII.—For "the State" *substitute* "Government".

Section XV.—For "His Highness the Maharaja" *substitute* "State Government"; *for* "State Funds" *substitute* "Consolidated Fund of the State".

Section XVII.—For "His Highness the Maharaja" *substitute* "State Government".

Section XX.—Omit "provided that when a member of the State Council is also a member of the Town Committee, he and not the Vice-Chairman, shall preside".

Section XXIX.—For "The accounts of the Town Committee shall be subject to audit by the Audit Office of the State in the way that accounts of all other departments of the State are so subject" *substitute* "The Town Committee shall make arrangements, subject to the approval of the State Government, for the examination and audit of accounts of the Committee and may direct the publication of such accounts".

Section XLIIIA.—For this section *substitute* the following:—

"Powers and duties of chaukidars appointed under this Act.

XLIIIA. Chaukidars appointed under this Act shall exercise all the powers and perform all the duties and be subject to all the liabilities of police officers as prescribed by any law for the time being in force so far as such powers, duties and liabilities are not inconsistent with or otherwise expressly provided for by this Act."

Sections XLV and XLVI.—For "Fouzdari Ahilkar" *substitute* "District Magistrate".

Section XLVII.—For "State" *substitute* "Government".

Section L.—For "State" *substitute* "Government".

Section LXVIII.—For "State" *substitute* "Government".

Section LXXII.—For "His Highness the Maharaja" *substitute* "Government".

Section C.—For "State" *substitute* "Government".

(6) The Cooch Behar Tenancy Act, 1910 (Cooch Behar Act V of 1910).

Throughout the Act.—For "Naib Ahilkar" *substitute* "Deputy Collector"; *for* "State Council" *substitute* "Government"; *for* "State" wherever it occurs in the expression "not paying revenue to the State", *substitute* "Government".

Preamble.—For "State" *substitute* "district".

Section 1.—For sub-section (*2*) *substitute*—

"(*2*) It shall apply to the whole of the district of Cooch Behar".

Section 3.—In clause (*a*) of sub-section (*1*) *for* "State" *substitute* "Government"; in sub-section (*3*) *omit* "in the State"; in sub-section (*5*) *for* "State" *substitute* "Government"; in sub-section (*8*) *for* "State" *substitute* "Government"; in sub-section (*9*) *for* "State" *substitute* "Government"; *omit* sub-section (*16*); in sub-section (*20*) *for* "State" *substitute* "district"; in sub-section (*23*) *for* "State" *substitute* "Government" and *omit* "in the State"; in sub-section (*27*) *omit* "as introduced into the State".

Section 4.—Omit "as introduced into the State".

Section 5.—In clause (*a*) *for* "State" *substitute* "Government".

Section 8.—In the explanation, *for* "State" *substitute* "Government".

Section 10.—In the proviso *for* "State" *substitute* "district".

Section 18A.—For "State" *substitute* "Government".

Section 34.—Omit "of the State".

Section 36.—In sub-section (*1*) *for* "His Highness in Council" *substitute* "State Government".

Section 39A.—In sub-section (*1*) *omit* "as introduced into the State".

Section 39B.—For "the Cooch Behar Limitation Act, 1921" *substitute* "any other law for the time being in force".

Section 41.—Omit "in force in the State".

Section 47.—For "Civil Judge", where it occurs for the first time *substitute* "District Judge, Additional Judge or Subordinate Judge"; *for* "His Highness in Council" *substitute* "High Court"; in the proviso *for* "Civil Judge" *substitute* "District Judge".

Section 49.—For the words "Revenue Minister" in the second paragraph *substitute* "Dewan or Revenue Minister of Cooch Behar or by the Chief Commissioner or the Collector".

Section 58.—In the proviso to sub-section (*2*) *for* "His Highness in Council" *substitute* "State Government".

Section 65.—In sub-section (*3*) *after* "appears" *insert* "to the Court" and *for* "Civil Judge" *substitute* "District Judge".

Section 66.—For "State" *substitute* "district".

Section 68A.—In sub-section (*2*) *for* "Civil Judge" *substitute* "District Judge".

Section 73. In sub-section (*4*) *for* "State" *substitute* "Government".

Section 79.—For "Revenue Minister" *substitute* "Collector".

Section 82.—Omit "as introduced into the State" from both the sub-sections (*1*) and (*2*).

Section 88.—For "State" *substitute* "Government".

Section 89.—For "State" *substitute* "Government".

Schedule V.—In Part II, *for* "Civil Judge" *substitute* "District Judge"; *for* "Revenue Minister" *substitute* "Collector".

In Part III, *for* "Cooch Behar Limitation Act, 1921" *substitute* "Indian Limitation Act, 1908".

(7) The Cooch Behar Municipal Act, 1944 (Cooch Behar Act III of 1944).

Throughout the Act.—For "State" *substitute* "district", except where otherwise specifically provided; *for* "*Cooch Behar Gazette*" *substitute* "*Official Gazette*"; *for* "Durbar" *substitute* "State Government"; *for* "Fouzdari Ahilkar" *substitute* "District Magistrate".

Section 1.—In sub-section (*2*) *omit* "after publication in the *Cooch Behar Gazette* with the assent of His Highness the Maharaja Bhup Bahadur".

Section 4.—In sub-clause (*b*) of clause (*10*) *for* "His Highness the Maharaja Bhup Bahadur in Council" *substitute* "State Government".

Omit clause (*15*).

Section 15.—For clause (*ii*) of sub-section (*2*) *substitute* "(*ii*) is a crtizen of India, and".

Section 25.—In sub-section (*1*) *omit* "and section 171J of the Cooch Behar Penal Code concerning an election under this Act"; in clause (*c*) of sub-section (*1*) *omit* "section 171J of the Cooch Behar Penal Code concerning an election under this Act and"; in sub-section (*3*) *omit* "and section 171J of the Cooch Behar Penal Code concerning an election under this Act".

Section 26.—In sub-section (*1*) *for* "Civil Judge of the State" *substitute* "District Judge"; in clause (*a*) of sub-section (*2*) *insert* "1908" *after* "Code of Civil Procedure".

Section 33.—In clause (*b*) of sub-section (*1*), *for* "His Highness the Maharaja Bhup Bahadur, his heirs and successors" *substitute* "the Union of India".

Section 60.—For "State" *substitute* "Government".

Section 63.—In sub-section (*3*), *for* "Cooch Behar Registration Act, 1921" *substitute* "Indian Registration Act, 1908".

Section 65.—In clause (*c*), *for* "State funds by His Highness the Maharaja Bhup Bahadur or by the Durbar" *substitute* "Consolidated fund of the State.

Section 74.—For this section *substitute* the following:—

"Audit of accounts. 74. The accounts of the Municipal Funds shall be audited at such times and in such manner as the State Government may prescribe".

Section 122. In the first proviso to sub-section (*1*) *for* "State" *substitute* "Government".

Section 190.—For clauses (*a*) and (*b*) *substitute*—

"(*a*) prescribing the standard weights and measures to be used within the municipality, namely,—

(*i*) Government standard weights, that is to say, one maund consisting of 40 seers, one seer consisting of 80 tolas and one tola consisting of 180 grains; or

(*ii*) a standard cubit consisting of 18 inches for the measure of commodities other than land; or

(*iii*) both the weights and the measure of length mentioned in sub-clauses (*i*) and (*ii*) respectively;

(*b*) providing standards of the weights and measures so prescribed".

Section 191.—For sub-section (*1*) *substitute*—

"(*1*) Where the Commissioners of any municipality have made by-laws under section 190 prescribing standard weights and measures to be used within the municipality, they may, at a meeting by an order published in the prescribed manner, prohibit the use within the municipality of any maund, seer or tola or any cubit measure other than such as conform with the standard prescribed in the said by-laws".

In sub-section (*2*) *for* the words "when such standard weights or measures or both are in force", *substitute* "when such order has been published".

Section 193.—For "Cooch Behar Food Adulteration Act, 1941" *substitute* "Bengal Food Adulteration Act, 1919".

Sections 221 and 234.—For "Cooch Behar Penal Code" *substitute* "Indian Penal Code".

Section 227.—In clause (*c*) of sub-section (*1*) *for* "His Highness the Maharaja Bhup Bahadur of Cooch Behar" *substitute* "State Government".'

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, I apologise to you for the infliction caused by me raising the point.

Mr. SPEAKER: No, there is no infliction.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir. I am congratulating you for your kindly taking the trouble of reading it. বিলটি আপনি পড়াতে এক দিক দিয়ে ভালই হয়েছে, আপনি মাত্র ১৫ মিনিট সময় নিয়েছেন কিন্তু সুশীল বাবু পড়লে অন্ততঃ ৬০ মিনিট সময় লাগত। এতে অন্ততঃ ৪৫ মিনিট saving হয়েছে।

Mr. SPEAKER: Mr. Banerjee, I myself felt some doubt as to whether I should pass it without reading it.

Sj. SIBNATH BANERJEE: তাছাড়া এই amendmentটা আমি পাইনি, এবাও পাননি, আর কেউ পেয়েছেন কিনা জানি না—এটি circulate করা হয়নি।

Mr. SPEAKER: I need not discuss it

Schedule II.

The question that Schedule II do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the Cooch-Behar (Assimilation of State Laws) Bill, 1950, as settled in the Assembly, be passed.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, I would just say a few words.

এত লম্বা Schedule যে আমি মনে কিছুই রাখতে পারছি না। এবং যা পড়লেন তাও বুঝতে পারলাম না, আর কেউ বুঝতে পারছেন কিনা আমার সন্দেহ আছে except yourself. কিন্তু একটা জিনিষ উভয়ের মধ্যে আছে কিনা জানি না। ঐ ওখানে যে employees আছে, সেই Employees Association থেকে বারবার করে বলেছে যে তাদের জন্য যেন একটা ব্যবস্থা করা হয়। এত সব আইনের মধ্যে তাদের যেন ভুলে না জান। এই সম্বন্ধে প্রধান মন্ত্রিমহাশয় একটা assurance দিয়েছেন কিন্তু সেখানে categorical কিছুই বলেন নাই যে কাকেও retrench করা হবে না। West Bengal Rate of Payতে তাদের assured করা হয় নাই। আমি আশা করি এত আইনের মধ্যেও সেই গরীব employeesদের কথা মনে রাখবেন। তারা কাকুতি মিনতি করে অনেক কিছু আপনার কাছে লিখেছে, সেইটাই স্মরণ করিয়ে দিচ্ছি। কতকগুলি লোকের চাকরী যেন না যায়, এবং যদি তাদের requisite qualification না থাকে তাহলে তা যেন মাফ করে দেওয়া হয়। E. I. R. এর যখন ২টা section এক হয়ে গেল তখন বহু লোকের requisite qualification না থাকলেও তারা যে কাজ চালিয়ে যাচ্ছিল সেই কাজেই রাখা হয়েছে। এই কথা বলেই আমি আলোচনা শেষ করছি। এই যেসব employees রয়েছে তাদের security—তাদের চাকরী যেন না যায় এবং West Bengal Rule হতে তাদের যেন exempted করা না হয়। যদি transfer করা হয় তাতে তারা রাজী আছে কিন্তু যদি sack বা dissmiss করা হয় তাহলে খুব অন্যায় করা হবে। নূতন যাদের ভর্ত্তির সময় যদি test করতে চান তা করতে পারেন, কিন্তু যারা আছে তাদের যদি তাড়িয়ে দেওয়া হয় তাহলে ভয়ানক অন্যায় করা হবে।

The Hon'ble NIHARENDU DUTT-MAZUMDAR: My honourable friend, I think, did not take into account the provisions under section 3 of the Bill which reads as follows:—for his benefit I may just read the third section: "In addition to the laws extended to Cooch-Behar by the West Bengal State Laws (Extension to Cooch-Behar) Act, 1950, all State laws which immediately before the appointed day extend to, or are in force in the State of West Bengal, but do not extend to, or are not in force in, Cooch-Behar shall, as from that day, extend to, or, as the case may be, come into force in, Cooch-Behar." Therefore, the legal rights of all persons are assured. My friend perhaps did not also realise the fact that this Schedule has been given because before the merger there were many Cooch-Behar amendments which were passed and from the legal point of view the full Schedule of all these has to be added to this Bill. That accounts for this amendment.

The motion of the Hon'ble Niharendu Dutt-Mazumdar that the Cooch-Behar (Assimilation of State Laws) Bill, 1950, as settled in the Assembly, be passed was then put and agreed to.

The Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950.

The Hon'ble KALIPADA MOOKERJI: Sir, I beg to introduce.....

Sj. SIBNATH BANERJEE: How long shall we sit today?

Mr. SPEAKER: Three hours or more if the House desires to sit longer.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Let us sit till 7 o'clock. Let us finish this small Bill.

Sj. SIBNATH BANERJEE: This Bill would not be small.

Mr. SPEAKER: Let us proceed.

The Hon'ble KALIPADA MOOKERJI: Sir, I beg to introduce the Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble KALIPADA MOOKERJI: Sir, I beg to move that the Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950, be taken into consideration.

The Bengal Shops and Establishments Act of 1940 did not contain any provision for regulating the service condition of young persons for sick leave and for adequate notice, before these new provisions have been made in this Bill. Certain other provisions have been incorporated herein to improve the conditions of service as regards casual leave, the rate for overtime work, the opening hours of the shop and also for extending benefit to certain categories of workers, as for example, canvassers, travellers and persons engaged in managerial or confidential capacity. In fact, Sir, it is a labour welfare measure calculated to grant certain benefits and amenities to shop assistants and other workers employed in shops and establishments.

With these words I beg to commend my motion to the acceptance of the House.

Sj. SIBNATH BANERJEE : মাননীয় স্পীকার মহোদয়, মাননীয় শ্রমিক মন্ত্রীমহাশয়কে অভিনন্দন জানাচ্ছি। এমন সুযোগ ইতিপূর্বে আর তিনি দেন নাই। আজ দিয়েছেন সেইজন্য খুসী হয়েছি। শ্রমিকদের উন্নতির জন্য এই প্রথম বিল তিনি নিয়ে আসছেন তাতে দেখা যায় যে শ্রমিকদের জন্য কিছু করবার চেষ্টা হচ্ছে। সেইজন্য তাঁকে অভিনন্দন জানাচ্ছি। কিন্তু তার মধ্যেও একটু কিন্তু রয়েছে। আরো অনেক কিছু করা দরকার ছিল। হয়ত তাঁরা বলতে পারেন Rome was not built in a day—এক দিনেই বড় কিছু হয় না। কিন্তু কতকগুলি provision যা omitted হয়েছে তা এখনই যদি সম্ভব হয় শুধরে নিলে ভাল হয়। কাজের এই ঘণ্টা সম্বন্ধে একটা নির্দ্দিষ্ট বিধান করা উচিত। যেমন 40 hours a week.

The Hon'ble NIHARENDU DUTT-MAZUMDAR : এর উপর একটা amendment থাকলে সুবিধা হত।

Sj. SIBNATH BANERJEE : Amendment দেবার সময় দিয়েছেন কিন্তু আপনাদের interruption শেষ হয়েছে কি?

The Hon'ble KALIPADA MOOKERJI : Interceptionএর মালিক কেবলমাত্র আপনি।

Sj. SIBNATH BANERJEE : মালিকানা আপনাদের জন্য। শিব এবং কালীর মধ্যে কাড়াকাড়ী চলছে। Number of working hours আমার মনে হয় 45 hours হওয়া উচিত। তারপর Public and gazetted holidays সম্বন্ধে এর মধ্যে উল্লেখ নাই।

Overtime wage সম্বন্ধে এই বিলে পরিষ্কার নেই D. A. থাকবে কিনা। আর একটা provision থাকা উচিত ছিল এই Inspectors publicএর ভিতর থেকে থাকা উচিত। Labour Departmentএর Inspectorরা ভাল, কিন্তু এখানে যত Sub-area আছে—বোধ হয় কত ঠিক মনে পড়ছে না, তবে ২৫-৩০ হাজার হবে, তার জন্য sufficient Inspector নাই। কাজেকাজেই এই Inspector এই Houseএর Member এবং সাধারণ লোকের মধ্যে থেকে করা উচিত। তাহলে shop assistantদের কিছুটা সুবিধা হতে পারে। সরকারী Inspector হলেই ভাল হয় কিন্তু তার জন্য খরচ করবার টাকা যখন নাই, তখন non-offical visitor করলেই চলে যেতে পারে।

Permanent কতদিনে করা হবে তার একটা ব্যবস্থা থাকা দরকার। Governmentর কাজ তারা করছে, ২০।২৫ বৎসর কাজ করছে অথচ permanent হচ্ছে না। এর একটা ব্যবস্থা করা উচিত। ছয়

মাস বা ১ বৎসর কাজ করলেই তারা permanent হবে। তারপর dismiss করতে গেলে যে নিয়ম আছে—charge sheet, warning প্রভৃতি—এই provision থাকা দরকার ছিল। তারপর অনেক যায়গায় ঠিকের ব্যাপার আছে। দুই-এক দিনের জন্য কাজ করান হয়, এইরকম ব্যবস্থা থাকা উচিত নয়—monthly basisএ ব্যবস্থা থাকা উচিত ছিল। Apprentice হিসাবে অনেককেই মোটেই মাইনে দেওয়া হয় না বা নামমাত্র মাইনে দিয়ে কাজ করান হয়। সেখানে apprentice period ঠিক করে দেওয়া উচিত। তিন মাসের বেশী করা চলবে না। তারপর profit sharing and bonus—চারদিক থেকে এই দাবী করা হচ্ছে। এই নিয়ে বম্বেতে গুরুতর অবস্থার উৎপত্তি হয়েছিল। এখানে এই shop assistantরা লাভের কোন অংশ পায় না। শতকরা 4 per cent. to 5 per cent. dividend দিয়ে তারপর 50 per cent. শ্রমিকদের মধ্যে distribute করা হবে, সেইরকম ব্যবস্থা থাকা উচিত। আজ শ্রমিকদের অন্ততঃ 50 per cent. না হক 25 per cent.ও যদি দেওয়া হত তাহলে এটাকে একটা progressive move নেওয়া হয়েছে বলা যেত। তারপর provident fund, gratuity, pension সম্বন্ধে। সেগুলি সুষ্ঠুভাবে করা হয় নাই। সেটা করা দরকার। আজ একটা লোক এখানে কাজ করছে আর এক যায়গায় ২ টাকা বেশী পেলেই হয়ত চলে যায়। কিন্তু একটা যায়গায় কাজ করে তাদের যদি gratuity পাওয়ার আশা থাকতো তাহলে চট্ করে চলে যাবে না। কারণ সে জানে ১০।১৫ বৎসর কাজ করলেই gratuity পাবে। তার provident fund সম্বন্ধে ঐ একই কথা। শ্রমিকদের মধ্যে এই দুইটা জিনিষের provision থাকলে ভাল হত। তাদের security of service থাকতো এবং তারা যায়গা বদলাতো না, stick করে কাজ করতো। এতে শ্রমিক ও মালিক উভয়েই লাভবান হত।

তারপর অধিকাংশ যায়গায় তাদের অসুখ হলে চিকিৎসার ব্যবস্থা নাই। কারখানায় নিয়ম রয়েছে প্রত্যেক যায়গায় এই ব্যবস্থা রাখতে হবে। কিন্তু এখানে এইরকম কোন ব্যবস্থা নাই। অবশ্য কারখানায় চোট লাগার সম্ভাবনা বেশী। সেইজন্য হয়ত সেখানে আগে হয়েছে। কিন্তু আজ যখন shop assistant বিল re-cast করা হচ্ছে, এবং সেইজন্য তাঁকে অভিনন্দন জানাচ্ছি, কিন্তু সেই কাজে শ্রমিক মন্ত্রীমহাশয় যদি তার একটু এগিয়ে যেতেন তাহলে খোলা গলায় তাঁকে অভিনন্দন জানাতে পারতাম। Medical treatmentএর ব্যবস্থা—অন্ততঃ পানের দোকান না হোক্ যে সমস্ত বড বড প্রতিষ্ঠান আছে যেমন "জহরলাল পান্নালাল", "কমলালয়" ইত্যাদি, যেখানে ২০০।৩০০ লোক কাজ করে সেখানে এই ব্যবস্থা করা সম্ভব—আজই করা সম্ভব।

তারপর আর একটা জিনিষ—কারখানার লোক যদি কাজ করতে করতে চোট্ খায় সেটা Compensation Actএর দ্বারা covered হয় এবং তারা compensation পায়। কিন্তু এখানে কাজ করতে করতে মনে গেলেও Conpensation Act তা cover করে না। সেজন্য বহু লোক কাজ করতে গিয়ে ক্ষতিগ্রস্ত হয়েও আইনের জোরে কিছুই পায় না। এইদিকে মন্ত্রীমহাশয়ের দৃষ্টি আকর্ষণ করছি। এই নূতন বিল পাস করার সময় এর মধ্যে কোন একটা যদি গ্রহণ করতে পারেন তাহলে আমি বাধিত হব। এবং সেটা সম্ভব না হলে, পরে যখন এর amendment হবে এই ধারাগুলি যে যুক্ত করা প্রয়োজন মন্ত্রীমহাশয় তা যেন চিন্তা করে দেখেন। এটা party politicsএর কামড়া-কামড়ী নয়। এই বিলের উন্নতি হলে আপনাদেরও সুনাম রক্ষিত হবে।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I can assure my friend, Sir, that if he will kindly give us in writing all the amendments proposed, we shall certainly look into them and, if necessary, bring in a Bill at the next session of the Assembly.

The motion of the Hon'ble Kalipada Mookerjee that the Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

Sj. SUSIL KUMAR BANERJEE: Sir, I beg to move that in clause 5, sub-clause (*a*) of proposed new section 10A, in line 5, for the word "thirty-six" the word "forty" be substituted.

The motion was put and agreed to.

The question that clause 5, as amended, do stand part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Clause 7.

The question that clause 7 do stand part of the Bill was then put and agreed to.

Clause 8.

Sj. SUSIL KUMAR BANERJEE: Sir, I beg to move that in clause 8, for proposed new section 13A, the following section be substituted, namely:—

"13A. (*1*) No person who has been employed in a shop or establishment for public entertainment or amusement for a continuous period of not less than twelve months, shall, without sufficient cause, have his services terminated until he has been given one month's previous notice or has been paid one month's wages in lieu of such notice.

Notice of termination of services.

(*2*) Any person employed in such shop or establishment whose services have been terminated in contravention of the provisions of sub-section (*1*) may make an application to a Presidency Magistrate or a Magistrate of the First Class alleging such termination and if such Magistrate is satisfied that the services of such person have been terminated without sufficient cause, he may, for reasons to be recorded in writing, direct that the shopkeeper or the employer shall pay one month's wages as compensation to such person and thereupon the shopkeeper or the employer shall pay to such person the amount of compensation so directed to be paid.

(*3*) The amount of compensation payable under this section shall, for purposes of its recovery, be deemed to be a fine imposed under this Act.

(*4*) For the avoidance of doubt it is hereby declared that the provisions of sub-sections (*2*) and (*3*) shall be in addition to and not in derogation of the provisions of section 17 and that nothing in sub-section (*2*) of section 18 shall be deemed to require any complaint to be made under that sub-section before an application is made under sub-section (*2*)."

The motion was put and agreed to.

The question that clause 8, as amended, do stand part of the Bill was then put and agreed to.

Clause 9.

The question that clause 9 do stand part of the Bill was then put and agreed to.

Clause 10.

The question that clause 10 do stand part of the Bill was then put and agreed to.

Clause 11.

The question that clause 11 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble KALIPADA MOOKERJEE: Sir, I beg to move that the Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950, as settled in the Assembly, be passed.

Sj. SIBNATH BANERJEE: আমি একটী sentenceই বলব। প্রধান মন্ত্রী মহাশয় assurance দিয়েছেন, তিনি man of action, কাজেই আমি আশা করি next sessionএ আমার suggestionগুলি accept করে বিল আমরা পাব।

The motion of the Hon'ble Kalipada Mookerjee that the Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950, as settled in the Assembly, be passed, was then put and agreed to.

The Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950.

The Hon'ble RAI HARENDRA NATH CHAUDHURI: Sir, I beg to introduce the Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble RAI HARENDRA NATH CHAUDHURI: Sir, I beg to move that the Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950, be taken into consideration.

Sir, the House will recall that in the previous session we had another amending Bill—the Bengal (Rural) Primary Education (West Bengal Amendment) Bill enacted for the purpose of introduction of compulsory primary education in Bengal. By that Bill we amended section 56 which provided for the promulgation of notification for introduction of compulsory primary education according to areas. But so far as this Bill is concerned, by this Bill we are going to introduce compulsion in respect of those students who once get admitted into primary schools. Sir, you may be aware that most of the students who are admitted to primary schools do not go up to Class IV; they abandon their studies before reaching Class IV either from Class II or Class III. The net result is that most of the boys who get admitted into primary schools do not complete their primary education, and, Sir, it is well known that unless a boy completes at least four years of primary education, he cannot be literate. To ensure permanent literacy at least a four-year course of primary education is absolutely necessary. It is therefore proposed in this Bill that boys or students who get admitted

into primary schools should go to Class IV and finish their primary education. And only those sections which are meant for the implementation of compulsory education areawise are being amended by this Bill. Sir, the huge wastage that now occurs in our primary education can only be measured if I give the following figures to the House. Three years ago, in 1947-48, in the primary schools, in Class I we had 5,67,588 students, but in Class IV we had only 1,42,382, that is, about 25 per cent. of the boys admitted in Class I were found in Class IV. Similarly, the present position is that in Class I we have 6,26,000 students, but in Class IV we have only 1,63,000 students, i.e., not even 25 per cent. That being the case there is a huge wastage in our primary education system—wastage of energy on the part of the students on the one hand and the wastage of expenditure incurred for those students who abandon their studies before proceeding to Class IV. It is just for this reason that we are going to introduce this Bill which seeks to introduce a new section—60A—to the Bengal Rural Primary Education Act and the consequential amendments are being made (Sj. SIBNATH BANERJEE: A penal section.) Yes, sections 61 and 62 are being amended which, penal sections though you may call them, are the sections meant for the enforcement of the principle of compulsory education. Those sections are also being amended.

(While Mr. Speaker was putting the motion to vote Sj. Sibnath Banerjee rose to speak.)

Mr. SPEAKER: Mr. Banerjee, you should rise up immediately.

Sj. SIBNATH BANERJEE: We were given some hope that after the previous Bill we shall get leave today.

Mr. SPEAKER: You must be alert.

Sj. SIBNATH BANERJEE: We were not prepared for this Bill.

Mr. SPEAKER: You ought to be prepared. All right, go on.

Sj. SIBNATH BANERJEE : মাননীয় স্পীকার মহোদয়, মাননীয় Education Minister মহাশয় একটা penal section সহকারে এই যে বিলটা এনেছেন এটা কোন purpose serve করবে না। ছেলেরা স্কুলে যায় কিছুদূর পর্যন্ত পড়ে, যখন না যায়, সেটা তাদের বাড়ীর অবস্থার উপর নির্ভর করে। তাদের অবস্থা দেখলেই বুঝতে পারবেন কেন তারা স্কুলে যায় না। গ্রামে হলে ছেলেরা মাঠে যায় কাজ করতে, আর শহরে হলে যায় চায়ের দোকানে। কেননা কাজ না করলে, তাদের খাওয়া চলে না। যেটুকু free দিয়েছেন সেটুকুতে তাদের বই কিনতে হবে। তারা জানে, না পড়ে যদি অন্য কাজ করে, তাহলে খেতে পাবে। কাজেই penal section যদি রাখেন তাহলে খাওয়াবার ব্যবস্থাটাও তাদের করতে হবে, সেটা যেন মনে থাকে। সহরে একজনের মাইনে দ্বারা চারজন প্রতিপালন হতে পারে না। গ্রামে যে জমি থাকে তাতেও বেশীর ভাগ চাষীর সারা বছরের খোরাক হয় না, যদি অন্য কাজ না করে। এইটা বুঝে আইন করা উচিত। অন্য যে সমস্ত দেশে compulsory educationএর ব্যবস্থা আছে সেখানেও এই penal section আছে কি না জানি না, তার উপর গ্রামের প্রাথমিক শিক্ষকদের মাইনে সম্বন্ধেও বিবেচনা করতে হবে। ছয় টাকা আট টাকা বড় জোর ১৫ টাকা maximum দেওয়া হয়, এই টাকা পেয়ে তারা যে কি শিক্ষা দিবে এবং সেই শিক্ষার ফল কি হবে সেটাও বিবেচ্য। তিন বছরের ঘায়গায় মাত্র এক বছরের পড়বার ব্যবস্থা করা হয়েছে এতে তারা ভাল লেখাপড়া শিখতে পারবে না। নিজেদের নাম পর্য্যন্ত লিখতে শিখল না, এবং কিছুদিন পরে একেবারে নিরক্ষর গণ্য হবে। কিন্তু আপনারা যে remedy ভাবছেন সেটা আসল remedy নয়। আজকে সকলের জন্য শিক্ষার ব্যবস্থা করা প্রয়োজন, তবে জানি না এর জন্য টাকা কোথা থেকে পাবেন; কিন্তু যেটা করা দরকার সেটা করতেই হবে। কিছুদিন আগে চেম্বারলেন তাঁর বক্তৃতার মধ্যে বলেছেন capital levy করে refugee problems solve করা উচিত। টাকার ব্যবস্থা বেশী করে করুন তাতে primary education বাড়বে।

আমি Afganisthanএ কিছুদিন ছিলাম। সেখানে primary education শুধু free নয় ছেলেদের থাকা, খাওয়া, পরা, কাপড়চোপড় সমস্ত কিছুর ব্যবস্থা করেছিলেন—Amanulla. আমাদের দেশের স্কুলগুলিতে যদি সেখানে এক বেলাও খাওয়ার ব্যবস্থা থাকে তাহলে বাপ-মা মনে করবেন অন্ততঃ এক বেলাতো ছেলেরা খেতে পারবে। অন্ততঃ খাওয়ার জন্য ছেলেরা স্কুলে যাবে, সেখানে পড়া হোক বা না হোক।

কৃষক-শ্রমিকের ছেলেদের জোর করে স্কুলে আনা আমি মনে করি অন্যায় এবং যাঁরা জোর করে এদের স্কুলে আনবার চেষ্টা করেন তাঁদের উপরই penal section apply করা উচিত। (From the Treasury Bench—hear, hear) কোন বাপ-মা ছেলেদের স্কুলে পাঠাচ্ছে না, অতএব তাদের উপর penal section আনা আমার মতে অত্যন্ত অন্যায় হবে। আমি seriously বলছি আপনারা এটা ভাল করে চিন্তা করে দেখবেন। হঠাৎ এটা কার্য্যকরী হতে পারে না। হয়ত বলবেন জেল দেওয়া যাবে না, যদি penal section না থাকে। কিন্তু penal section থাকলে কত নির্দ্দোষ লোককে জেলে পাঠাবেন। মন্ত্রীমহাশয় বলেছেন এইরকম একটা ব্যবস্থা না হলে পরে দেশের শিক্ষা ক্রমশঃ কমে যাবে। স্কুলে teacherদের মাইনে যাতে একটু attractive হয় তা করা উচিত। Montessory and Kindergarten systemএর কথা বলছি। এইভাবে ছোট ছোট ছেলেদের শিক্ষার ব্যবস্থা করতে পারলে অনেক ভাল হয়। গ্রামের স্কুলগুলির এমনি অবস্থা যে ঝড়, বৃষ্টিতে ভিজে মাটিতে তালপাতার চাঁচে বসে পড়াশুনা করতে হয় তাতে ছেলেদের পড়ায় মন বসে না। সুতরাং যে অবস্থার মধ্যে তাদের শিক্ষা হচ্ছে সেই অবস্থায় ছেলেরা স্কুলে যেতে চায় না। Montessory ও Kindergarten systemএর স্কুলে ছেলেরা যেতে ব্যস্ত, তারা ভাবে কখন সেখানে যাবে, গেলে খেলাধুলা করতে পারবে। কিন্তু সেটা আজকের দিনে আশা করা কল্পনা মাত্র। পূর্ব্বে যে provision করা হয়েছিল সেটা extend করে, কোন district বাদ না দিয়ে, সেখান থেকে cess তুলে শিক্ষা বিস্তারের জন্য আরও টাকার প্রয়োজন। তাতে ভাল শিক্ষা বিস্তার হবে। এই penal sectionএর দ্বারা শিক্ষা বিস্তার হবে না।

The Hon'ble RAI HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, the points that have been raised by my friend opposite need reply. In the first place he has said that penal measures should not have been introduced. Probably my friend Sibnath Babu is not aware that in all progresssive countries penal measures were introduced before anything like maintenance grant, as he meant, was contemplated, far less introduced. For instance, in England the Elementary Education Act was introduced in 1870.

By 1876 a penal measure was introduced, and guardians were compelled to send their boys to schools—boys who were below 14. In our State we contemplate that boys of six years would get admitted in primary schools and finish their primary education by eleven years. Therefore, Sir, does Mr. Sibnath Banerjee really mean that boys of 11 years or less should be suffered to work and labour on fields and in factories? Had any such proposition been brought forward or even permitted, say in a Factory Act, that boys below 11 years should be permitted to work as labourers, certainly Mr. Sibnath Banerjee would have been the first to stand up and say, "Well! such things should be put under taboo". Now he is coming forward to say that the guardians of boys should be permitted to get their wards to work for them, even children who are below 11 years in age!

Then, Sir, there is another thing. He has said: "Unless you improve the pay of primary teachers you cannot have good education". That is altogether a different matter. That does not come at all within the scope of the Bill. Mr. Sibnath Banerjee ought to know that this Government in the course of last three years have more than doubled.....

Sj. SIBNATH BANERJEE: On a matter of privilege, Sir. I do not like to be addressed Mr. Sibnath Banerjee. Sri or simply Sibnath Banerjee will satisfy me.

The Hon'ble RAI HARENDRA NATH CHAUDHURI: Sri Sibnath Banerjee is probably not aware that so far as this Government is concerned,

it has during the last 3 years more than doubled the salaries of primary teachers' and have made extra provisions of annual expenditure of Rs. 48 lakhs for the improvement of pay and salaries of primary teachers. The salary of primary teachers ranged from Rs. 10 to Rs. 16 before the partition, and now the salary of primary teachers ranges from Rs. 20 to Rs. 35 besides dearness allowance. (Sj. SIBNATH BANERJEE: Magnificent sum, indeed!) We do admit that it is not sufficient. We are of opinion that their pay should be further increased as early as practicable. There is scope for improvement. Who is denying that? Nobody is going to deny it. Certainly we did not wait for Sj. Sibnath Banerjee to plead for primary teachers to increase their salaries to the aforesaid extent by an additional provision of Rs. 48 lakhs. We did it on our own initiative, and we did not wait for advocacy on the part of Sj. Sibnath Banerjee.

Then, Sir, another point has been raised by him, namely, how are we going to enforce it. In our country many illiterate people really do not attach so much value to education as they would if it is pointed out to them that it is their duty to send their children to schools. Now that primary education has been made free, and what is more, the present Government is also supplying books at cost price to the boys, which has gone much to lessen the guardians' expenditure on boys, we think it is high time to introduce such a measure of compulsion. We had an idea to supply books free, but in view of the financial situation we could not do that. But we have already given them books at the cost price of about 8 annas per copy —books which used to cost the guardians at least Rs. 1-8 or Rs. 2 per head before. Sj. Sibnath Banerjee is not at all aware what benefits we have and are conferring even in our financial distress, to our primary teachers and students, and therefore he is eloquent over the point which he thinks has been lost sight of. We have given sufficient thought to the problem, and we believe we shall be going ahead with our scheme of compulsory free primary education in spite of unwelcome note struck by him.

The motion of the Hon'ble Rai Harendra Nath Chaudhuri that the Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950, be taken into consideration, was then put and agreed to.

Sj. SIBNATH BANERJEE: Sir, let us adjourn now.

Mr. SPEAKER: Do you want to speak on the subject?

Sj. SIBNATH BANERJEE: Not today, Sir. We began at 3-30 p.m. today and it is now past seven. The other day you said, Sir, that the House would sit for three hours.

Mr. SPEAKER: All right. I shall now adjourn the House.

Adjournment.

The House was accordingly adjourned at 7-11 p.m. till 3-30 p.m. on Thursday, the 5th October, 1950, at the Assembly House, Calcutta.

Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 5th October, 1950, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble ISWAR DAS JALAN) in the Chair, 11 Hon'ble Ministers and 55 members.

STARRED QUESTIONS

(to which oral answers were given)

Small development projects recommended by the Development and Irrigation Board, Bankura

***25. SJ. KANAI LAL DE:** Will the Hon'ble Minister in charge of the Irrigation Department be pleased to state—

(*a*) বাঁকুড়া জিলার Development ও Irrigation বোর্ড হইতে এপর্য্যন্ত কতগুলি Small Irrigation Project পাঠান হইয়াছে ;

(*b*) উহার মধ্যে কয়টির কার্য্য আরম্ভ হইয়াছে এবং কয়টি সরকারের বিবেচনাধীন আছে ও কয়টির কার্য্য সম্পূর্ণ হইয়াছে ;

(*c*) যেগুলি অবশিষ্ট আছে তাহার কার্য্য কখন আরম্ভ হইবে এবং কত বৎসরে তাহা শেষ হইবে ;

(*d*) বাঁকুড়া জিলার সেচের অভাবের বিষয় বিবেচনা করিয়া যথাসম্ভব শীঘ্র ঐসকল পরিকল্পনার কাজ আরম্ভ করার কথা সরকার বিবেচনা করেন কি না ;

(*e*) শুভঙ্কর দাঁড়ার কার্য্য কতদূর অগ্রসর হইয়াছে ? কত অংশ বাকি আছে ? উহা কতদিনে সম্পূর্ণ হইবে এবং এপর্য্যন্ত উহাতে কত টাকা ব্যয় হইয়াছে ; এবং

(*f*) বিড়াই খালের কার্য্য কতদূর অগ্রসর হইয়াছে, কত বাকি আছে ? উহা কতদিনে শেষ হইবে এবং উহাতে এপর্য্যন্ত কত টাকা ব্যয় হইয়াছে ?

MINISTER in charge of the IRRIGATION DEPARTMENT (the Hon'ble Bhupati Majumdar): (*a*) মোট ৫৪টি পরিকল্পনা—তন্মধ্যে ৭টি কৃষি বিভাগের উপর ন্যস্ত আছে।

(*b*) সেচ বিভাগের ৪৭টি পরিকল্পনার মধ্যে রায়পুর থানায় বাঁশখাল পরিকল্পনার কার্য্য সম্পূর্ণ হইয়াছে এবং সিমলাপাল থানায় চামকরা খাল পরিকল্পনার কার্য্য চলিতেছে। অনুসন্ধান অন্তে ৬টি পরিকল্পনা গ্রহণযোগ্য নয় বলিয়া বাতিল করা হইয়াছে। বাকি ৩৯টি বিবেচনাধীন আছে।

কৃষি বিভাগের উপর ন্যস্ত ৭টি পরিকল্পনার মধ্যে ১টির সম্বন্ধে সংবাদ সংগ্রহ করিতে পারা যায় নাই। আর একটি গ্রহণযোগ্য নয় বলিয়া বাতিল করা হইয়াছে। বাকিগুলি উক্ত বিভাগের বিবেচনাধীন আছে।

(*c*) অনুসন্ধান অন্তে পরিকল্পনাগুলি যথাক্রমে রচিত হইতে থাকিবে। সেই ক্রমানুযায়ী করণীয় পরিকল্পনাগুলির মঞ্জুর কার্য্য আরম্ভ হইবে এবং অনুকূল অবস্থা অব্যাহত থাকিলে আশা করা যায় তিন বৎসরের মধ্যে সমাপ্ত করা যাইবে।

(*d*) হাঁ, সরকার যথাবিহিত ব্যবস্থা অবলম্বন করিতেছেন।

(*e*) আনুমানিক এক-তৃতীয়াংশ কাজ হইয়াছে এবং আনুমানিক দুই-তৃতীয়াংশ বাকি আছে। কাজ সম্বন্ধে অনুকূল অবস্থা চলিতে থাকিলে ১৯৫৩ সালের জুন মাস মধ্যেই পরিকল্পনাটির কাজ শেষ হইবে বলিয়া আশা করা যায়। এপর্যন্ত জমির মূল্য বাদে প্রায় ১,৭০,৬০৬৲ ব্যয় হইয়াছে।

(*f*) আনুমানিক এক-তৃতীয়াংশ সম্পূর্ণ হইয়াছে, দুই-তৃতীয়াংশ বাকি আছে। সুষ্ঠুভাবে সকল কাজ চলিতে থাকিলে আশা করা যায় আগামী ১৯৫২ সালের মার্চ্চ মাস মধ্যে শেষ হইবে। এপর্যন্ত জমির মূল্য বাদে প্রায় ২,৯৩,৪৪৪৲ টাকা ব্যয় হইয়াছে।

Sj. KANAI LAL DE: অতিরিক্ত প্রশ্ন, মাননীয় মন্ত্রীমহাশয় বলবেন কি বাঁকুড়া জেলায় জমি উঁচু-নিচু থাকায় সেখানে ছোট ছোট জলসেচের পরিকল্পনা করা অন্যান্য জেলার চেয়ে বেশী প্রয়োজন এবং যদি এক বছরে এই সামান্য কয়েকটি মাত্র হয়ে থাকে, তাহলে সেখানে কত দিনে চাষের উন্নতির জন্য গ্রামে গ্রামে বা ইউনিয়নে ইউনিয়নে পরিকল্পনা করা সম্ভবপর হবে?

The Hon'ble BHUPATI MAJUMDAR: গ্রামে গ্রামে ও ইউনিয়নে ইউনিয়নে কতগুলি হবে তা বলা যাচ্ছে না। তবে ৫৪টি পরিকল্পনার মধ্যে যে কয়টি বাতিল হয়েছে, সেছাড়া বাকী যেগুলি গৃহিত হয়েছে তার সংখ্যাগুলি অন্য জেলার তুলনায় কম নয়। এর পরে ছোট ছোট জোড় বাঁধবার যে কাজ, সেটা ঐ হিসাবে গৃহিত হতে পারবে বলে সম্ভাবনা আছে।

Sj. KANAI LAL DE: প্রত্যেক ইউনিয়ন থেকে দুই, তিনটি ছোট ছোট পরিকল্পনা বাতিল করা হয়েছে, কিন্তু সেগুলি ১০-২০ হাজার টাকার মধ্যে সম্পন্ন হতে পারত। যাতে এইরকমভাবে বিলম্বিত না করে, সেইরকম কাজ যা বছরে ৫০টা হতে পারত--মাননীয় মন্ত্রীমহাশয় সেদিকে চেষ্টা করবেন কি?

The Hon'ble BHUPATI MAJUMDAR: অর্থের পরিমানের উপর খানিকটা নির্ভর করছে। তবে একথা ঠিক যে বাঁকুড়া জেলার প্রতি অধিক দৃষ্টি দেওয়া হয়েছে।

Sj. KANAI LAL DE: দুই বছরে মাত্র সাতটি পরিকল্পনা গ্রহণ করা হয়েছে বলেই কি, বাঁকুড়া জেলায় অধিক দৃষ্টি দেওয়া হয়েছে মনে করেন?

The Hon'ble BHUPATI MAJUMDAR: আমার মনে হয় অন্য জেলার তুলনায় একটা ১৩,৯৩,০০০ হাজার ও আর একটা ১৩,৫৭,০০০ হাজার টাকার, এইরকম দুটী বড় পরিকল্পনা গ্রহণ করা হয়েছিল। এই ধরণের বড় পরিকল্পনা গ্রহণ করা অন্য জেলায় সম্ভব হয়নি। বাঁকুড়া জেলাতে বিশেষ প্রয়োজন আছে বলেই সেই দুটী ধরা হয়েছে।

Sj. KANAI LAL DE: দেখা যাচ্ছে যে, বড় পরিকল্পনার একটিতে ১,৭০,০০৬ টাকা খরচ হয়েছে, আর একটিতে ২,৯৩,০৪৪ টাকা খরচ হয়েছে। সুতরাং ঐযে ১৩ লক্ষ টাকার কথা বললেন, সেটা এক বছরে লাগেনি। সুতরাং এখন যাতে আরও অন্ততঃ পাঁচ লক্ষ টাকা পল্লীগ্রামের ছোট ছোট schemeএ দেওয়া সম্ভবপর হতে পারে, সে বিষয় মাননীয় মন্ত্রীমহাশয় চেষ্টা করবেন কি?

The Hon'ble BHUPATI MAJUMDAR: প্রশ্নটা একটু দীর্ঘ হয়েছে। প্রথম অংশের ভিতর আমি এইটুকু জানাতে চাই যে, যে কোন পরিকল্পনাতে জমির দাম বাবদ অনেক টাকা লাগে। আপনার শুভঙ্কর দাঁড়ায় ৪৩৪ একর জমির দাম বাবদ ৫,৫১,০০০ টাকা আরও লাগবে। সেইজন্য সেই টাকাটা আলাদা করে ধরতে হবে। লেছুড়ী বাঁধ এবং আর একটা যেটার নাম হচ্ছে কাঁজর বাঁধ, এইগুলিই হচ্ছে প্রধান কাজ। বাকীগুলি জমির দামের অঙ্ক অনুপাতে কাজ হয় না। সেইজন্য টাকার অনুপাতে কাজ কম হয়নি। বিড়াই খালে কাজ অনুপাতে যে টাকা খরচ করা হবে তার প্রায় ৯০ ভাগ ব্যয় করা হয়ে গিয়েছে। বিড়াইয়ের কাজ সম্বন্ধে এইটুকু জানাতে চাই যে, যদিও এই কাজ ১৯৫২ সালের মার্চ মাসে শেষ হবে, কিন্তু এটী সম্পূর্ণ কাজ। কিন্তু বিড়াই খালে প্রথম সেচের জল ও বর্ষার জল নিয়ে দেওয়া ১৯৫১ সালের মধ্যেই সম্ভাবনা আছে।

Sj. KANAI LAL DE: মাননীয় মন্ত্রীমহাশয় অবগত আছেন কি, বিড়াই খাল schemeএ রামসাগর ইউনিয়নে কতকগুলি গরীব লোকের বাড়ী acquire করবার কথা হয়েছে, কিন্তু এখন পর্য্যন্ত তাদের বাড়ী ছাড়বার notice দেওয়া হয়নি এবং নিজেদের বাড়ী তৈরী করবার মত সামর্থ্যও নেই। সুতরাং তাদের final awardএর আগে, তাদের কিছুটা টাকা দেওয়ার ব্যবস্থা করা যায় কি?

The Hon'ble BHUPATI MAJUMDAR: এটা দুইপ্রকারে হয়। যেখানে আমরা নূতন পরিকল্পনার জন্য জমি গ্রহণ করছি সেখানে অন্ততঃ অনেকাংশে যথাসম্ভব শীঘ্র দেওয়া হবে। কিন্তু একটা আইন ও নিয়ম আছে সেইজন্য বাড়ী নেবার আগেই মূল্য দেওয়া যায় না। যখন যেখানে জমি গ্রহণ করা যাবে তখনই তাতে অধিকাংশ টাকা দেওয়া যাবে, এবং পূর্ব্বেকার মত দরিদ্রগণ যাতে কষ্ট না পায় সেদিকে সরকারের দৃষ্টি আছে।

Sj. KANAI LAL DE: মাননীয় মন্ত্রীমহাশয়ের দৃষ্টি আকর্ষণ করছি। তিনি এই কথা বিবেচনা করবেন কি, গরীব প্রজাদের কাছ থেকে জমি দখল করবার আগে যদি তাদের কিছু compensation দেওয়া না যায়, তাহলে তাদের দাঁড়াবার স্থান থাকে না, সুতরাং যাতে আইনের কোন বাধা না থাকে এইভাবে Land Acquisition Collectorকে তিনি এবিষয় যতদূর সম্ভব আইন ব্যবহার করতে নির্দ্দেশ দেবেন কি?

The Hon'ble BHUPATI MAJUMDAR: নিশ্চয়। এটা করার উদ্দেশ্য হচ্ছে যতদূর সম্ভব তাদের কষ্টের লাঘব হয়। বাড়ী ছেড়ে যেতে হলেও যেন তাদের দুরবস্থা না আসে। সেইজন্য নূতনভাবে এই জিনিষটা গ্রহণ করছি। যেখানে পুরাতন পড়ে আছে সেটা প্রায়ই জানবেন সকল ক্ষেত্রে pre-partition দিনের দখল—সেখানে টাকা দেবার অধিকার ছিল না। এখন যেটুকু পাবছি সরকার থেকে কষ্ট লাঘব করবার চেষ্টা করছি।

Schemes for improvement of milk supply in the State

***26. Maharaja SRIS CHANDRA NANDY, of CossimLazar:** (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state

(*i*) what are the schemes that the Milk Commissioner has so far submitted for the improvement of milk supply in the State;

(*ii*) which of them have so far been taken up by the Government;

(*iii*) whether the Government have any scheme for the improvement of the production of cow's milk in the State;

(*iv*) what is the exact composition of the "toned" milk that the Government is now offering for sale; and

(*v*) whether the Government have made it absolutely sure on competent authority that the "toned" milk is not injurious to the babies?

(*b*) If the answer to (*a*)(*v*) is in the affirmative, will the Hon'ble Minister be pleased to state what is the authority?

MINISTER in charge of the AGRICULTURE DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (*a*) (*i*) and (*ii*) The Milk Commissioner-*cum*-Administrator, Haringhata Centre, was asked to prepare a comprehensive scheme, more or less on the lines of the Bombay Scheme, for improving the milk supply of Calcutta where the problem is very acute. He was not asked to prepare a scheme covering the whole State.

He has submitted the outlines of a Milk Supply Scheme for Calcutta and a scheme for the distribution of "toned" buffalo's milk—buffalo's milk as such being not in much demand for liquid consumption. A beginning has also been made to collect rurally produced cow's milk and to supply it, after pasteurisation at the Haringhata Dairy, to Calcutta.

(*iii*) The Government have a comprehensive scheme for the improvement of the production of cow's milk in the State by fostering better feeding and management and grading up the existing stock with improved bulls. The scheme is already working in a selected area of each district and has produced very good results in some areas.

(*iv*) Toned buffalo's milk, offered for sale by the Government, contains 4 per cent. butter fat and 9 per cent. solids-not-fat of milk origin.

(c) and (b) The scheme for the distribution of toned buffalo's milk has the approval of the Medical and Public Health Department of this Government. Absolute certainty is unattainable in human organisation, but Government have no doubt that 'toned" milk is of benefit from the nutritional point of view.

In this connection it is worthy of note that in many other parts of India buffalo's milk is fed to infants and children. For instance almost the entire milk supply of the city of Bombay is derived from buffaloes. Even in Calcutta the feeding of toned or watered buffalo's milk to infants is quite common as nearly 3,000 maunds of buffalo's milk is sold daily either after dilution or partial skimming. Commercial dairies are known to sell almost exclusively partially skimmed buffalo's milk which is consumed by the more opulent section of the population and their children.

The Calcutta Scheme has now gone on for nearly 2 months and has proved to be very popular which would testify to the high quality of the product offered for sale.

Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Will the Hon'ble Minister be pleased to state if the Government have any scheme to arrange for the supply of adequate milk—cow or buffalo—according to the need of Calcutta as well as the State as a whole?

The Hon'ble PRAFULLA CHANDRA SEN: The present scheme which has been prepared by our Milk Commissioner is to ensure the supply of pure milk or standard milk or toned milk to Calcutta.

Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Will the Hon'ble Minister be pleased to state if the buffalo's milk which Government is converting and calling it toned milk is being purchased or is being supplied from Government dairies?

The Hon'ble PRAFULLA CHANDRA SEN: Part of it is purchased and part of it is produced in our Haringhata Dairy Farm.

Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Will the Hon'ble Minister be pleased to state if Government have any scheme to support private dairies for the increased supply of milk?

The Hon'ble PRAFULLA CHANDRA SEN: No, we have no such scheme.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to state whether milk powder is added to skimmed milk for the production of toned milk?

The Hon'ble PRAFULLA CHANDRA SEN: Yes, skimmed milk powder is added.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to state whether it is a fact that buffalo's milk is watered before skimmed milk powder is added?

The Hon'ble PRAFULLA CHANDRA SEN: Not that buffalo's milk is watered but some fat is taken out of the buffalo's milk and then skimmed milk powder is added unto it to make it standard milk or toned milk.

Janab MD. KHUDA BUKHSH: Why should it then be necessary to add powdered milk to increase the solids-not-fat content of the milk if only the butter is taken out?

The Hon'ble PRAFULLA CHANDRA SEN: Standard cow's milk contains 3·5 to 4 per cent. of fat and as I have mentioned here 9 per cent. of solids-not-fat of milk origin, to make up that skimmed milk is mixed.

Janab MD. KHUDA BUKHSH: I have not understood the Hon'ble Minister's answer. He has said that only 4 per cent. of butter is removed in toned milk but I do not see why there should be any necessity for adding solids to make up the consistency of the milk.

The Hon'ble PRAFULLA CHANDRA SEN: I have nowhere said that 4 per cent. of the fat is taken out. What I have said is that buffalo's milk contains more than 7 per cent., in fact 7 to 9 per cent. of fat; so a portion of the fat is taken out of it and then some skimmed milk which does not contain any fat or very negligible quantity of fat is added unto it just to have 9 per cent. solids-not-fat content so that the whole thing is converted into what is called standard milk.

Janab MD. KHUDA BUKHSH: When no solids are removed why should there be any necessity for adding solids to make up the consistency?

The Hon'ble PRAFULLA CHANDRA SEN: Just to make it standard milk.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, buffalo's milk contains larger quantity of fat but lesser quantity of protein and carbo-hydrate. In order to supply that you remove the extra fat but you have got to add something in order to make the non-fat solids up to the normal consistency.

Janab MD. KHUDA BUKHSH: The Hon'ble Minister has stated that it has the approval of the Health Department of this Government, meaning that the Hon'ble Chief Minister also approves of it. Whether he has taken legal opinion to find out whether it is quite legal to sell this kind of milk to the public?

The Hon'ble PRAFULLA CHANDRA SEN: It is quite legal.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: How it is illegal?

Janab MD. KHUDA BUKHSH: If it is sold as pure milk it is illegal.

The Hon'ble PRAFULLA CHANDRA SEN: We have said we sell toned milk; we have never called it pure cow's milk or pure buffalo's milk.

Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Will the Hon'ble Minister be pleased to state if the Government have any scheme to have sufficient number of buffaloes for the supply of milk in Calcutta and not purchasing buffalo's milk from outside?

The Hon'ble PRAFULLA CHANDRA SEN: For the present we have no such scheme.

The Hon'ble Dr. BIDHAN CHANDRA ROY: The Bombay Government have spent nearly 3 crores of rupees for starting a dairy of this kind. We have not got the money. If we have the money, probably we will start such a scheme.

Dispersal Scheme

*27. **Sj. KANAI LAL DE:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(ক) Students' Dispersal Schemeএ কোন্ কোন্ কলেজকে কত টাকা মঞ্জুর করা হইয়াছে ;

(খ) কি নীতি (policy) অনুসরণ করিয়া টাকা দেওয়া হইয়াছে ;

(গ) এই scheme কতদূর কার্য্যকরী হইয়াছে এবং ইহার ফলে কত ছাত্র কলিকাতা হইতে গিয়া ঐসকল সাহায্যপ্রাপ্ত কলেজে ভর্ত্তি হইয়াছে ; এবং

(ঘ) যে সকল কলেজকে টাকা দেওয়া হইয়াছে ঐসকল কলেজে ঐ বৎসর কোন্ শ্রেণীতে কত ছাত্র ভর্ত্তি হইয়াছে ?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (ক) Dispersal Schemeএ কোন্ কলেজে কত টাকা মঞ্জুর করা হইয়াছে, তাহা সংলগ্ন তালিকায় দেওয়া হইল।

(খ) নিম্নোক্ত বিষয়গুলি বিবেচনা করিয়া প্রতিষ্ঠান নির্ব্বাচন ও সরকারী সাহায্য নির্দ্ধারণ করা হইয়াছে :—

(১) বিভিন্ন জেলার উচ্চশিক্ষার চাহিদা, বিশেষতঃ মফঃস্বলের ছাত্রছাত্রীদের বিজ্ঞান শিক্ষায় অধিকতর সুযোগ প্রদান।

(২) স্থানীয় ও পার্শ্ববর্ত্তী অঞ্চলের লোকসংখ্যা ও পূর্ব্ববঙ্গ হইতে আগত শরণার্থীদের সংখ্যা।

(৩) নিকটবর্ত্তী উচ্চ ইংরেজী বিদ্যালয়ের সংখ্যা।

(৪) বিদ্যালয়ের নিজস্ব জমি, গৃহ, ছাত্রসংখ্যা, পরিচালনা ও আর্থিক অবস্থা।

(৫) ক্ষেত্রবিশেষে, বিদ্যালয়ের নিজস্ব ছাত্রাবাস আছে কি না।

(৬) বিদ্যালয়ের অধ্যক্ষ, অধ্যাপক ও বিদ্যার্থীদের মধ্যে ব্যক্তিগত যোগাযোগ।

(গ) পরিকল্পনানুযায়ী কাজ সবেমাত্র আরম্ভ হইয়াছে এবং ইহার সাফল্য নির্ণয় করিবার সময় এখনও হয় নাই। কলিকাতা হইতে কত ছাত্র উপরি-উক্ত কলেজে যোগ দিয়াছে, তাহা নিশ্চিত করিয়া বলা সম্ভব নহে। কলিকাতার কলেজে মফঃস্বলের ছাত্র ভর্ত্তি সীমাবদ্ধ হওয়া এই পরিকল্পনার সাফল্যলাভের জন্য প্রয়োজন।

(ঘ) বর্ত্তমান বৎসরে পরীক্ষার ফল কিছু বিলম্বে প্রকাশিত হওয়ায় এবং ছাত্র ভর্ত্তি ক্রমশঃ হইতে থাকায় সম্পূর্ণ তথ্য এখনও সংগৃহীত হয় নাই। সম্পূর্ণ তালিকা সংগৃহীত হইলে এবং মাননীয় সদস্যমহাশয় পরে জানিতে চাহিলে গোচরে আনা হইবে।

Statement referred to in reply to clause (ঘ) of starred question No. 27

Dispersal Scheme

Strengthening Existing Colleges

Serial No.	Name of College.	Total grant.			Remarks.
		Building.	Equipment.	Total.	
		Rs.	Rs.	Rs.	
1	Balurghat College ..	12,000	50,000	62,000	
2	Berhampore Girls' College ..	99,000	50,000	1,49,000	
3	Dinabandhu Mahavidyalaya ..	72,000	25,000	97,000	
4	Gobardanga Hindu College ..	72,000	20,000	92,000	
5	Gokhale Memorial Girls' College	70,000	35,000	1,05,000	Rs. 40,000 loan.
6	Katwa College ..	71,500	20,000	91,500	
7	Kharagpur College ..	50,000	30,000	80,000	
8	P. K. College, Contai ..	69,000	20,000	89,000	
9	Ramananda College ..	..	20,000	20,000	
10	Ramsaday College ..	70,000	20,000	90,000	
11	Rishi Bankim College, Naihati	45,000	30,000	75,000	
12	R. K. Mission Vidyamandir ..	69,000	25,000	94,000	
13	Santipur College, Nadia ..	66,000	50,000	1,16,000	
14	Shyamsundar College, Burdwan	..	20,000	20,000	
15	Tamralipta Mahavidyalaya ..	69,000	25,000	94,000	
16	Uluberia College ..	14,000	35,000	49,000	
17	Victoria Institution ..	44,000	35,000	79,000	
18	Vidyasagar College, Suri ..	64,600	20,000	84,600	
	Total ..	9,57,100	5,30,000	14,87,100	

Intermediate Colleges attached to High Schools

Serial No.	Name of School.	Total grant.				
		Building.	Furniture.	Laboratory equipment.	Books.	Total.
		Rs.	Rs.	Rs.	Rs.	Rs.
1	Barisha H. E. School ..	50,000	15,000	18,000	2,000	85,000
2	Bolpur H. E. School ..	45,000	15,000	18,000	2,000	80,000
3	Itachuna H. E. School .	45,000	15,000	18,000	2,000	80,000
4	Kandi Raj H. E. School .	45,000	15,000	18,000	2,000	80,000
5	K. K. Hindu Academy, Dum Dum.	60,000	15,000	18,000	2,000	95,000
6	Manimala Girls' H. E. School, Asansol.	55,500	10,000	18,000	2,000	85,500
7	Rampurhat H. E School	45,000	15,000	18,000	2,000	80,000
8	Jangipur H. E School .	45,000	10,000	18,000	2,000	75,000
9	Ranaghat P. C. H. E. School.	45,000	10,000	18,000	2,000	75,000
10	Taki Government H. E. School.	70,000	15,000	18,000	2,000	1,05,000
11	Barasat Government H. E. School.	70,000	15,000	18,000	2,000	1,05,000
	Total ..	5,75,500	1,50,000	1,98,000	22,000	9,45,500

Sj. KANAI LAL DE: মাননীয় মন্ত্রীমহাশয়, এটা বিবেচনা করবেন কি, যে সমস্ত কলেজে টাকা দেওয়ার list দিয়েছেন সেই সমস্ত কলেজে টাকা দিয়েই ক্ষান্ত হয়ে যাবেন না, সেই কলেজে কত ছাত্র কলিকাতা সহর থেকে ভর্ত্তি হ'ল সে বিষয়ে অনুসন্ধান করে সেই পরিমান টাকা দেওয়া যাবে, বা একটা lump grant দেওয়া হবে?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: আপনাকেত বলা হয়েছে। এ সম্বন্ধে উত্তরে আছে যে বর্ত্তমান ছাত্র এবং সম্ভাবিত বিদ্যার্থীদের সংখ্যা দেখে lump grant দেওয়া হচ্ছে। কোন্ কোন্ বিষয় বিবেচনা করে grant দেওয়া হচ্ছে তা (খ) প্রশ্নের উত্তরে বলা হয়েছে। যে সমস্ত বিষয় বিবেচনা করে grant দেওয়া হচ্ছে সে সমস্ত বিবেচ্য বিষয় সম্বন্ধে এবং grant দেওয়া অর্থ কিভাবে ব্যয় করা হচ্ছে তার উপরও সতর্ক দৃষ্টি রাখা হচ্ছে।

Sj. BIMAL COMAR GHOSE: With reference to answer (*a*), will the Hon'ble Minister be pleased to state for how many years assistance will be offered to these colleges?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: That has already been stated by the Hon'ble Premier in his reply the other day, viz., that for the present for two years.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state as to what is likely to happen to these colleges after two years?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: It is expected that with additional students they will be able to pay their way.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state whether in the event of these colleges not being able to pay their way, they will have to close down these extended departments?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: That is a question which cannot be answered today.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if he considers any modification necessary in the dispersal scheme in view of the percentage of passes in the Calcutta University this year?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: No.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if there will be sufficient number of students in the Calcutta colleges in view of the percentage of passes this year?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: That is a different question—that does not come within the scope of this question.

Sj. BIMAL COMAR GHOSE: Sir, I just wanted to submit to you as to whether it comes within the purview of this question or not. The idea of the dispersal scheme is to get students away from Calcutta. If there are not sufficient students in Calcutta, then the utility of the dispersal scheme to that extent becomes less. That was the point of my question to elicit an answer from the Hon'ble Minister whether there is sufficient reason for the scheme.

Mr. SPEAKER: I think this is within the scope of this question.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: There are sufficient number of students in Calcutta still now.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if it is his assertion that the colleges this year will have adequate number of students admitted into them?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: On the interpretation of the word "adequate" people may differ.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if representation has not been received by him as to the difficulties in which the Calcutta colleges may be placed this year on account of the dearth of students?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Enquiries are being made. No representation has been made direct to me.

East Bengal refugees and their rehabilitation.

*29. **Sj. BIMAL COMAR GHOSE:** Will the Hon'ble Minister in charge of the Refugee Rehabilitation Department be pleased to state—

(*a*) the total number of East Bengal refugees who have migrated to West Bengal (*i*) before and (*ii*) after the February, 1950, Communal Disturbances;

(*b*) the number of refugees falling within each of these periods who have been rehabilitated and in what manner; and

(*c*) the total value of losses of immovable property and other assets suffered by these refugees in East Bengal that might have been reported to Government or for which Government might have information through any other source?

MINISTER in charge of the REFUGEE REHABILITATION DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (*a*)(*i*) 1,091,109 (as was recorded in the census in July, 1949).

(*ii*) 2,078,918 (up to 13th September, 1950. These are arrival figures).

(*b*) Rehabilitated on land (agricultural and homestead)—

		Families.
(A)(1)	In Government-sponsored schemes ...	14,089
(2)	In *khas mahal* lands ...	8,713
(3)	In private lands	67,950
	Total ...	90,752
(B)(1)	In Government-sponsored schemes ...	1,300
(2)	In *khas mahal* lands ...	108
(3)	In private lands ...	54,962
(4)	In migrants' lands ..	79,655
	Total ...	136,025
	Grand total of (A) and (B) ..	226,777

(C) *Employment.*—12,000 persons have been placed by the Employment Exchanges.

(*c*) Roughly Rs. 87,81,15,000. The total value of losses is estimated at Rs.87,81,15,000 as an approximate figure on an average computation of the claims received in the Refugee Rehabilitation Directorate from East Bengal displaced persons up to 30th June, 1950.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Chief Minister be pleased to state if the Government have no statistics for the period July, 1949, to February, 1950?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The number of refugees between the months of July, 1949 and February, 1950, or rather January, 1950, is practically negligible.

Janab MD. KHUDA BUKHSH: Arising out of (*b*)(*B*)(*4*)—79,655 families have been settled in migrants' lands—will the Hon'ble Chief Minister be pleased to state exactly how many have now been asked to give over those lands to the returning migrants?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Of the total area of land vacated by migrants there is still 1 lakh acres available for any migrants coming in which have not been distributed.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Chief Minister be pleased to tell the House the total area of migrants' lands still not allotted?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have just told him the total area vacated by the migrants—about 350,000 acres of which about 250,000 acres have been handed over to the refugees and 1 lakh acres is still lying vacant.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to tell us whether of the lands allotted to the refugees and the lands lying vacant, there has been no application for getting those lands back?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice for that.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to tell the House whether a complete survey of the lands taken over by the refugees not allotted to them has been made by Government?

The Hon'ble Dr. BIDHAN CHANDRA ROY: It is being made.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Chief Minister be pleased to tell the House when he expects that survey will be completed?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot give any definite date as quickly as possible.

Sj. BIMAL COMAR GHOSE: With reference to answer (*c*), will the Hon'ble Chief Minister be pleased to state if any action has been taken by Government in this matter?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Which one?

Sj. BIMAL COMAR GHOSE: About the losses they have sustained and the compensation that might be obtained or offered to the refugees.

The Hon'ble Dr. BIDHAN CHANDRA ROY: This is a matter to be decided on the Inter-Dominion level. All that we have done is that we have forwarded it to the Government of India for necessary action.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state whether they themselves have forwarded any proposal which they have propounded to the Government of India?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not know whether they have forwarded any proposal themselves to the Government of India, but this is in response to a circular issued some time back in which one of the items of our questionnaire was this, and reply was asked for in order that the Enquiry Commission might go into the matter and this figure is taken from the collection which we have made from the returns we have received. I cannot say whether the whole thing that we have given can be regarded as correct. But this is the figure that we have received.

Janab MD. KHUDA BUKHSH: Is the Hon'ble Minister aware that a lot of property belonging to Muslims are being declared vacant while the returning migrants are still there?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have no information. I shall be glad if the honourable member will give me the information.

Sj. ANANDILAL PODDAR: Will the Hon'ble Minister be pleased to state how much of the land has been forcibly occupied in West Bengal by the refugees?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot give you any statistics on the point.

Sj. ANANDILAL PODDAR: Will the Hon'ble Minister be pleased to assure this House whether he is prepared to evict them from the land which they have forcibly occupied?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Not only are we prepared to evict them but as you must have seen from the papers that one of our police officers who went to evict them has been convicted to two months imprisonment, because he went to evict a Hindu refugee from a Muslim house. So we are taking steps, but as you will appreciate we have got to get the new law passed as quickly as possible before we can take any effective step.

Janab SYED BADRUDDUJA: Will the Hon'ble Minister be pleased to state when they contemplate passing this Act?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have no idea about that, because it is in the hands of the Central Minister.

Janab Syed BADRUDDUJA: Will the Hon'ble Minister tell this House whether as it is very urgent the Government of West Bengal will move into the matter very seriously and get the Act passed as quickly as possible?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The Government of West Bengal are moving into the matter at a rate of 100 miles an hour.

Sj. ANNADA PROSAD CHOUDHURY: Of the total number of 79,000 and odd families rehabilitated there are only three categories, one Government-sponsored scheme, and the other two are not said to be Government-sponsored. Are we to take it that these two other schemes are sponsored by non-Government agencies?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I thought that Sj. Annada Prosad Choudhury who had been Finance Minister of this Government knew that *khas mahal* land can only be allotted by Government, because it belongs to Government. With regard to the second category in many of these cases land has been procured or Government helped the refugees to procure land out of their own money. What we have done is to help them with tin, cement and other controlled commodities. We have given them help under three categories of Government-sponsored schemes. Under the first group we acquire plots of land, develop it and hand it over to the refugees. The second group relates to *khas mahal* land which is utilised for this purpose, and no acquisition has been made. The third group is for private land—land which has been purchased by private parties either with our help, and building has been completed with our help and supply of materials.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to state whether the word "rehabilitation" in respect of those refugees who have been settled in migrants' land is not misleading when the returning migrants' properties will have to be restored to them, and the refugees will have to be displaced again.

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is a matter of opinion.

Newspapers publishing Government advertisements.

Sj. BIMAL COMAR GHOSE: Sir, this question may be held over, because starred question No. 50 which is referred to in this answer is not available in the library, and therefore we do not know what the answer is.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I can tell you what the answer was.

Mr. SPEAKER: I think the proceedings of the last session have been distributed to the members and must be with them.

SJ. BIMAL COMAR GHOSE: They are not with us here.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I can tell you what the answer was. There were ten newspapers to which advertisements were given. Now the total number is fifteen.

***30. SJ. SATISH CHANDRA CHAKRAVARTY:** Will the Hon'ble Minister in charge of the Home (Publicity) Department be pleased to state—

(*a*) the names of daily papers with their respective circulations that are patronised by Government departments with their advertisements; and

(*b*) the principle followed by the Government in giving Government patronage?

MINISTER in charge of the HOME (PUBLICITY) DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): Government do not "patronise" any newspapers, because we do not like the word "patronise" in that context. The names of daily newspapers, in which Government advertisements are published, are the same which were placed before the House in reply to starred question No. 50 of Sri Bimal Comar Ghose on the same subject answered on March 9, 1950. The circulation figures are according to their audited circulation.

Sir, in this connection, I may mention to the House that the total number mentioned in my reply to Sj. Bimal Ghose's question on March 9 was ten. It is really 15 at the present moment.

Government publish their advertisements only in such newspapers publication in which is regarded as helpful to the State.

SJ. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to mention the names of those fifteen papers with their circulation?

The Hon'ble Dr. BIDHAN CHANDRA ROY: "The Statesman", "Amrita Bazar Patrika", "Hindusthan Standard", "Ananda Bazar Patrika", "Satyajug", "Swaraj", "Biswamitra", "Rozana Hind", "Lokesevak", "Jugantar", "Biswabandhu", "Lokmanya", "Basumati", "Desh" and "Jagriti".

SJ. BIMAL COMAR GHOSE: Will he also mention their circulation if he has got it?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have not got it.

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to state what is regarded as helpful to the State?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is a matter of opinion. Whatever the State regards as helpful is helpful to the State.

Janab MD. KHUDA BUKHSH: Sir, he might give us information or he might refuse to give us the information, but he cannot evade it like this. I want to know what are the criteria in respect of a newspaper, for which it is regarded as helpful to the State?

The Hon'ble Dr. BIDHAN CHANDRA ROY: It is not evading a question at all. It is for the Government to decide what is helpful and what is not helpful. That is a matter of opinion, but that is the answer.

Arrest of persons for postering for a proposed public meeting at Sradhananda Park, Calcutta.

***31.. Srijukta BINA BHOWMICK:** (*a*) Will the Hon'ble Minister in charge of Home (Police) Department be pleased to state—

গত ১৩ই নভেম্বর, ১৯৪৯ সালের রাত্রি সাড়ে দশটার সময় শ্রীনারায়ণ চক্রবর্ত্তী, শ্রীদেবপ্রসাদ মৈত্র ও শ্রীশান্তি মুখার্জ্জীকে শ্রদ্ধানন্দ পার্কে ১৪ই নভেম্বর তারিখে আহূত একটি সভার সম্বন্ধে পোষ্টার লাগাইবার সময় জোড়াসাঁকো পুলিশ গ্রেপ্তার করে কি ?

(*b*) যদি (*a*) বর্ণিত প্রশ্নের উত্তর "হাঁ" হয়, মন্ত্রীমহাশয় অনুগ্রহপূর্ব্বক জানাইবেন কি—

(*i*) উক্ত সভা বে-আইনী ঘোষিত হইয়াছিল কি না ; এবং

(*ii*) উক্ত সভায় শান্তির ব্যাঘাত হইয়াছিল কি না ?

(*c*) যদি (*b*) (*i*) ও (*ii*) প্রশ্নের উত্তর "না" হয়, তবে কি অপরাধে ঐ ব্যক্তিগণকে গ্রেপ্তার করা হইয়াছিল ?

(*d*) মন্ত্রীমহাশয় জানাইবেন কি ইহা কি সত্য যে—

(*i*) উক্ত ব্যক্তিত্রয়কে প্রথমতঃ জামীন দেওয়া হয় নাই ;

(*ii*) তাঁহাদের পোষ্টার ও আঠার বালতী আটক করা হয় ; এবং

(*iii*) জামীনে মুক্তি দিবার পর তাঁহাদিগকে এখন পর্য্যন্ত থানায় প্রায়শঃ হাজিরা দিতে হয় ?

(*e*) যদি (*d*) প্রশ্নের উত্তর "হাঁ" হয়, মন্ত্রীমহাশয় জানাইবেন কি—

(*i*) ঐ ব্যক্তিদিগকে বারবার থানায় হাজিরা দিতে বলার কারণ কি ;

(*ii*) এখনো তাঁহাদিগকে আদালতে বিচারার্থ পাঠান হইল না কেন ; এবং

(*iii*) এ বিষয়ে মন্ত্রীমহাশয় অনুসন্ধান করার কথা বিবেচনা করেন কি না ?

MINISTER in charge of the HOME (POLICE) DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (*a*) হাঁ, রাত্রি সাড়ে বারটার সময় পুলিশ উক্ত ব্যক্তিগণকে গ্রেপ্তার করে।

(*b*) (*i*) এবং (*ii*) "না"।

(*c*) কলিকাতা পুলিশ আইন অমান্য করিয়া বে-আইনীভাবে পোষ্টার লাগাইবার জন্য ও গভীর রাত্রিতে সন্দেহজনকভাবে ঘোরাফেরা করার জন্য উক্ত ব্যক্তিগণকে পুলিশ কলিকাতা পুলিশ আইনের ৬৬(১৩) ধারানুযায়ী গ্রেপ্তার করে।

(*d*) (*i*) তাঁহাদিগকে থানা হইতে জামিনে মুক্তি দেওয়া হয়।

(*ii*) হাঁ, এগুলি মামলার আলামত হিসাবে আটক করা হয়।

(*iii*) ধার্য্যদিবসে জামীননামার পুনঃসম্পাদন নিমিত্ত তাঁহাদিগকে হাজির হইতে হইয়াছিল।

(*e*)(*i*) (*d*) (*iii*) প্রশ্নের উত্তরের প্রতি দৃষ্টি আকর্ষণ করা যাইতেছে। গত ১৯৪৯ সালের ২১শে নভেম্বর এবং ১৩ই ডিসেম্বর, এই দুইদিন জামীননামা পুনঃসম্পাদন নিমিত্ত ঐ ব্যক্তিত্রয়কে থানায় হাজির হইতে হইয়াছিল।

(*ii*) ইতিপূর্ব্বেই তাঁহাদিগকে সতর্ক করিয়া মুক্তি দেওয়া হইয়াছে।

(*iii*) এবিষয়ে আর অধিক অনুসন্ধান করার প্রয়োজন আছে বলিয়া মনে হয় না।

Srijukta BINA BHOWMICK: On a point of order Sir—মাননীয় প্রধান মন্ত্রী-মহাশয় কি বাংলা ভাষা জানেন না?

The Hon'ble Dr. BIDHAN CHANDRA ROY: না, জানি না।

Srijukta BINA BHOWMICK: জানেন না বললেন, এতে আপনার লজ্জিত হওয়া উচিত।

The Hon'ble Dr. BIDHAN CHANDRA ROY: হাঁ, হওয়া উচিত।

Srijukta BINA BHOWMICK: মাননীয় মন্ত্রীমহাশয় যে বল্লেন যে বাংলা বোঝেন না, সেটায় প্রশ্ন করলে বুঝতে পারবেন ত?

The Hon'ble Dr. BIDHAN CHANDRA ROY: আপনি বাংলায় প্রশ্ন করলেই বুঝতে পারবেন।

Srijukta BINA BHOWMICK: মাননীয় প্রধান মন্ত্রীমহাশয় বাঙ্গলা বুঝেন কিনা, এই আমার জিজ্ঞাস্য।

The Hon'ble Dr. BIDHAN CHANDRA ROY: আপনি প্রশ্ন করলেই, বুঝতে পারব কিনা বলবো।

Srijukta BINA BHOWMICK: মাননীয় প্রধান মন্ত্রীমহাশয় বলেছেন—বে-আইনীভাবে poster লাগান হয়েছে। বে-আইনীভাবে কি করে হলো, পরিষ্কার করে বলবেন কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: আইনের বিরুদ্ধে হলেই সেটা বে-আইনী হয়।

Srijukta BINA BHOWMICK: কি poster লাগান, বে-আইনী সেটা বলবেন কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: পুলিশ অ্যাক্টে আছে, আপনি দেখে নেবেন, অনুগ্রহ করে।

Srijukta BINA BHOWMICK: এই যে এখানে আপনার লেখা আছে (pointed to the printed answer) বে-আইনীভাবে পোষ্টার লাগাবার জন্য, এই বে-আইনীটা কি, আমি জানতে চাই।

The Hon'ble Dr. BIDHAN CHANDRA ROY: বাঙ্গলাতো আপনি জানেন, (pointing to the printed answer) এই যে এখানে লেখা আছে কলকাতা পুলিশ আইন অমান্য করায়।

Srijukta BINA BHOWMICK: পুলিশ আইনটা কি সেইটেইতো জানতে চাই।

The Hon'ble Dr. BIDHAN CHANDRA ROY: পুলিশ আইনের বই থেকে সেইটে জানতে পারবেন।

Srijukta BINA BHOWMICK: তাহলে দেখা যাচ্ছে, পুলিশ আইন আপনারাও জানেন না আমিও জানি না।

The Hon'ble Dr. BIDHAN CHANDRA ROY: তাহলে তাই।

Srijukta BINA BHOWMICK: অতিরিক্ত প্রশ্ন স্যার, মাননীয় প্রধান মন্ত্রীমহাশয় বলবেন কি, তাদের কতবার থানায় হাজির করা হয়েছে?

The Hon'ble Dr. BIDHAN CHANDRA ROY: বলতে পারি না।

Srijukta BINA BHOWMICK: সেগুলি আমার প্রশ্নেই ছিল। তাদেরকে বারবার হাজির করবার কারণ কি?

Mr. SPEAKER: That question does not arise.

Srijukta BINA BHOWMICK: এই যে উত্তরে বলা হয়েছে ১৯৩৯ সালে ২১শে নভেম্বর এবং ১৩ই ডিসেম্বর তাদের থানায় হাজির করা হয়েছিল; এছাড়া আর কোন দিন হাজির করা হয়েছিল কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: আপনি বল্লে খবর নিতে পারি।

Srijukta BINA BHOWMICK: যে সম্বন্ধে আগে বলা হয়েছে, তাছাড়া ২৯শে ডিসেম্বর, ১৪ই ও ২৬শে জানুয়ারী, ১২ ফেব্রুয়ারী থানায় হাজির করা হয়েছিল কেন?

The Hon'ble Dr. BIDHAN CHANDRA ROY: আমি জানি না।

Srijukta BINA BHOWMICK: মন্ত্রীমহাশয় অনুগ্রহ করে জেনে বলবেন কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: আচ্ছা, খবর নেব।

Srijukta BINA BHOWMICK: মাননীয় প্রধান মন্ত্রীমহাশয় বলবেন কি এর মধ্যে তাদের ম্যাজিষ্ট্রেটের সামনে হাজির করা হয়েছে কিনা?

The Hon'ble Dr. BIDHAN CHANDRA ROY: নোটীশ দেবেন বলব।

Srijukta BINA BHOWMICK: শুধুই থানায় হাজির করা বে-আইনী বলে মনে করেন কিনা?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is a matter of opinion.

Srijukta BINA BHOWMICK: এই সম্বন্ধে আইনে কিছু আছে কিনা?

The Hon'ble Dr. BIDHAN CHANDRA ROY: আইন আমি জানি না। এখানে প্রশ্নের মধ্যে থাকলে উত্তরে আমি বলতাম।

Srijukta BINA BHOWMICK: আমার প্রশ্নের মধ্যেই ছিল।

The Hon'ble Dr. BIDHAN CHANDRA ROY: আপনি যদি আমায় সময় দেন তাহলে future dateএ আমি বলব।

Answering of questions while sitting.

Janab MD. KHUDA BUKHSH: Sir, the Hon'ble Dr. Roy is not only the Chief Minister but is also the Leader of the House. I am sure he respects the convention of the House, and I think that it is derogatory to the prestige and privilege of the questioner and also to the House to answer questions while sitting.

Mr. SPEAKER: According to rules the honourable members should rise in their seats while speaking. But in view of his age the Hon'ble the Chief Minister may have some consideration and some latitude in the matter.

Janab Syed BADRUDDUJA: Sir, has age anything to do with the curtailment of the privilege of members?

Mr. SPEAKER: No. But age should have some consideration and I have allowed him to reply sitting.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, the fact that you have permitted me to reply sitting is evident. That is why I can reply sitting.

Mr. SPEAKER: Yes, but ordinarily members will always rise while speaking.

The Hon'ble Dr. BIDHAN CHANDRA ROY: In that view I do not want any privilege. I will rise every time a question is put.

Mr. SPEAKER: My point is that the rules must ordinarily be observed, but there can also be relaxation in special circumstances.

Janab MD. KHUDA BUKHSH: Sir, if the Hon'ble the Chief Minister does not want any relaxation, we cannot possibly thrust it on him.

Mr. SPEAKER: I think some latitude may be given to him. I do not want that answers will be given sitting, but the Chief Minister, if he wants, may reply to questions sitting in consideration of his age.

Janab Syed BADRUDDUJA: On that analogy, Sir, Janab Mudassir Hossain may also be allowed to put questions sitting, because he is already 75.

Janab MUDASSIR HOSSAIN: Sir, I wish that some latitude should be given to me as well, and I acknowledge with gratefulness that you have already shown that latitude.

Mr. SPEAKER: If it is pursued to this length I think I should give my ruling on the point. The position is this that ordinarily the rule provides that whenever a member speaks he should rise and then speak from his seat, but from time to time for certain reasons the House has permitted members to speak sitting, or either it has been ignored or connived at or not noticed, or no objection has been taken. You have allowed the Finance Minister to deliver his speech sitting. So far as the Hon'ble Chief Minister is concerned, very often he rises in order to give replies. It may be that on some occasions he may have given answer sitting. So far as this latitude is concerned, technically speaking you might say that he must reply rising. Taking into consideration the number of supplementary questions put, I do not think it is necessary always to rise when replying, and I do hope that the House will not take this matter in a very serious constitutional way but should try to accommodate each other. It has been the practice, of course, that a member should not reply sitting. But if, however, any member has to be given that concession, I shall always be prepared to give that concession in a reasonable way. With regard to this matter I do desire that the House agree with me in that view and not raise any objections which are not very friendly to each other.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I am sorry if I have upset somebody's lever but I do not want to show any disrespect to any member and I do not want any special privilege offered to me other than that enjoyed by any other member of this House.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Market places and market fund in the khas mahal area, Jalpaiguri district.

5. Sj. JAJNESWAR ROY: (*a*) Will the Hon'ble Minister in charge of the Land and Land Revenue Department be pleased to state if it is a fact—

(*i*) that the conditions of the market places in *khas mahal* area in Jalpaiguri district have deteriorated;

(*ii*) that the wells in the markets in the *khas mahal* area have gone dry or their water has become unfit for drinking; and

(*iii*) whether there is a market fund in the *khas mahal* area at Jalpaiguri?

(*b*) If the answer to (*a*)(*iii*) be in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the total amount of collection under the said fund for the years 1948-49 and 1949-50; and

(*ii*) the purposes for which the amounts are spent?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) whether there is a *jotedars'* fund in the *khas mahal* area and subscriptions varying from Re.1 to Rs.10 are collected from the *jotedars;* and

(*ii*) if so, for what purpose and under whose direction the amount of this fund is being spent?

MINISTER in charge of the LAND and LAND REVENUE DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (*a*)(*i*) Yes. Steps are being taken to improve the condition of the market places, where necessary.

(*ii*) No report has been received to the effect that the water of any ring-well in the markets has become unfit for drinking. On the contrary it is reported that the majority of the wells are in good and working order. Certain wells become dry owing to deposit of silt, but silt clearance of wells is made, where necessary.

(*iii*) Yes.

(*b*)(*i*) The total collection amounts to Rs.1,73,010-3 for 1948-49 and Rs.1,71,590-9-3 for 1949-50

(*ii*) The purposes for which the market fund may be spent are the following:—

(1) payment of the establishment required for collection, supervision and maintenance of the markets in a proper sanitary condition,

(2) construction and maintenance of works of public utility and convenience in the markets,

(3) establishment of new markets, and

(4) such other purposes (for the direct or indirect benefit of markets) as may be approved by the Deputy Commissioner and Administrator of the Fund with the sanction of the Divisional Commissioner.

(*c*)(*i*) Yes, there is a *jotedars'* fund to which contributions by way of voluntary subscriptions are made by the *khas mahal jotedars.*

(*ii*) The budget of the fund is made by the *jotedars* in a meeting and the amount collected is spent for the benefit of the *jotedars* according to the provision made in the budget under the direction of the Deputy Commissioner but with the approval of the Divisional Commissioner.

Survey and settlement in connection with redistribution of boundaries in the district of Nadia.

6. Sj. BEPIN BEHARI GANGULI: (*a*) Will the Hon'ble Minister in charge of the Land and Land Revenue Department be pleased to state whether the survey and settlement operations have been started in the police-stations situated on the western side of the Mathabhanga river in the district of Nadia in connection with redistribution of boundaries of the State of West Bengal?

(*b*) If so, when those operations will be finished?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the course of the river Mathabhanga as shown in Mr. Radcliff's Award tallies with that shown in the official map of the district of Nadia;

(*ii*) if not, the steps, if any, taken or proposed to be taken by Government;

(*iii*) the name of the river where the sewerage of the factory of Messrs. Carew and Co. at Darsana falls and the details of its course;

(*iv*) the names of the river and the ferry ghat on the east of Gobindapore outpost of Krishnaganj police-station, the details of the course of the river and the authority which collects the tolls of the ferry ghat; and

(*v*) the name of the authority which controls the ferry ghat at village Taldaha in Krishnaganj police-station?

(*d*) Will the Hon'ble Minister be pleased to state whether he considers the desirability of moving the Central Government in respect of redistribution of boundaries of Nadia district of West Bengal?

MINISTER in charge of the LAND and LAND REVENUE DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (*a*) No.

(*b*) Does not arise.

(*c*)(*i*) The course of the Mathabhanga as shown in the map which is an Annexure to the Radcliff's Award does not agree with that shown in the official map referred to.

(*ii*) The dispute between the Governments of India and Pakistan regarding this portion of the common boundary was referred to a Tribunal which has given its decision.

(*iii*) Mathabhanga—the river Mathabhanga, which flows by the east of Gobindapore and bifurcates down below Krishnaganj—the western channel being named Churni and the eastern channel Ichamati.

(*iv*) and (*v*) For the river and its course, *vide* reply to item (*c*)(*iii*) above.

The tolls of a Taldaha-Gobindapore ferry ghat over the Mathabhanga river, which is presumed to be the ferry ghat referred to in this part of the question, are collected by the district board of Nadia.

(*d*) There is no such proposal at present.

Message from His Excellency the Governor.

Mr. SPEAKER: His Excellency the Governor has sent the following reply to the Address which was presented to him by the Assembly:

Members of the Legislative Assembly, I have received with great satisfaction the respectful expression of your thanks for the speech with which I have opened the present session of the Assembly.

Incidents in Berhampore, Murshidabad.

Janab Syed BADRUDDUJA: Mr. Speaker, Sir, are the questions over?

Mr. SPEAKER: Yes.

Janab Syed BADRUDDUJA: May I with your permission mention certain incidents that are reported to have occurred in the district of Murshidabad. Sir, I will first refer to the food crisis that still persists in Berhampore town itself. In spite of the fact that the food crisis still persists rations are reported to have been stopped for more than one week and a half. Again, Sir, the prices in Dumkal police-station, Sadar subdivision, are reported to have shot up out of all proportion. They went down to Rs. 34 per maund but it is reported they have again gone up to Rs. 50, but details are lacking. I would only ask the Government, and specially the Food Department, to enquire into the state of things and see what steps

can be taken by Government to introduce rationing once again in Berhampore in view of the crisis that still persists as also take some other steps for forcing down the prices in Dumkal and other area.

Then again, there is a report—I received a telephonic message only yesterday morning, my friend Mr. Khuda Bukhsh will have also received the same telegram and possibly he may have submitted it to the Hon'ble Chief Minister—that in pursuance of the procurement policy of the Government of Bengal, Muslims of the Dumkal area are being victimised. That is the report. So I would also ask the Government to enquire into the matter.

Then in Bhagabangola police-station of the Lalbag subdivision and Jalangi police-station of the Sadar subdivision in Murshidabad indiscriminate arrests, extortions and tortures by the police are reported to be going on unchecked. I would also ask the Government to enquire into this fast deteriorating situation.

These are reports, we have not got first-hand information; details are lacking. I would only request the Government to enquire into these matters. We have received this information only very recently.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I do not dispute that the member has the right to bring in this matter before the House, but he says that he does not know whether the information is correct. May I, therefore, say, Sir, that it would be better if, when he had got any such information, he had given me that information yesterday, so that I could even have telephoned and found out what the exact information was, but in order that the same may appear in the press, there was no necessity of placing that matter in this House.

Janab Syed BADRUDDUJA: Press is not favourable to us. Sir, only with the permission of the Chief Whip I mentioned this matter before the House.

Mr. SPEAKER: Yesterday Mr. Badrudduja wanted to mention this matter in the House. I told him that he should communicate the matter to the Chief Whip before he mentions this matter in the House. And when he spoke today I thought there was no objection to it, and that was the reason why I allowed that statement to be made.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, things have got to be placed before the House in a formal manner and according to the procedure of the Assembly. May I know under which rule he is mentioning this matter?

Mr. SPEAKER: As a matter of fact, statements have been made in this House regarding matters of importance in the past, but they have been made with the consent of the Government. As a matter of fact, honourable members will remember that when he rose to mention this matter yesterday, I at once told him that he must communicate this matter to the Chief Whip of the party. When he stood up today to mention this matter, no objection was raised, and I took it that the Government had no objection to the statement being made; otherwise no statement could be made.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: We were under the impression that he was making a statement as a preliminary to a motion for the adjournment of the House. Otherwise there should have been a formal notice and he did not give any formal notice.

Mr. SPEAKER: No question of adjournment motion arises here. There is a different procedure for adjournment motions. As a matter of fact, whenever an adjournment motion is moved, the member concerned has

got to take my consent, and after the consent is given, he formally applies. There was no question of adjournment motion at all in this case. It was only a question of making a statement on some incidents which have taken place suddenly. It is only on such occasions when the matter is of great importance that statements are made. Of course when there is a Leader of the Opposition, such statements are generally made by him and not by anybody else, but because there is no Leader of the Opposition, Mr. Badrudduja wanted to mention this matter before the House, and I did point out to him yesterday that it could only be mentioned with the consent of the Chief Whip of Government, and that he should communicate this matter to the Chief Whip. I understand that the matter was communicated to the Chief Whip and I thought that there was no objection to the statement being made, and, therefore, consent was given.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I understand that he did ask the Chief Whip; but I am afraid before the Chief Whip gave his sanction, it would have been better for him to inform the Government, because after all what is the purpose in having a question which cannot be answered, because they have no knowledge of what has happened.

Mr. SPEAKER: It is the Parliamentary procedure that the Chief Whip should be informed in all such matters. And when the Chief Whip has been informed, that means that the Government have been informed, and it is for the Chief Whip to consult the Minister or to object or not to object.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: About this statement just a little while ago I was obliged to make a submission and point out that the Hon'ble Speakers of this House have of course allowed statements to be made, but only by the Leader of the Opposition with the consent of the Leader of the House; and that has been done not automatically on account of the consent of the Leader of the House, but with the discretion used by the speakers themselves. Therefore, Sir, with regard to the question of privilege of making statements before the House, it is only on exceptional circumstances and on extraordinary issues that the Speaker allows it. In this case I would submit to you, Sir, that before exercising such discretion the duty devolves on the Hon'ble Speaker himself and none else to ascertain the consent of the Hon'ble the Leader of the House and then to decide with the consent of the Leader of the House whether the statement should be permitted or not.

Janab Syed BADRUDDUJA: Sir, may I explain the position? This is a matter of urgent public importance. I referred this matter to you, Mr. Speaker, as you are the custodian of the rights and privileges of this House. I referred to you and you asked me to refer the matter to the Chief Whip. Sir, with your permission and with the sanction of the Chief Whip I have made this statement. Sir, so far as your position and my position is concerned, it is perfectly clear. I sought your permission and referred this matter twice to the Chief Whip as representing the Government. Sir, when the House is in session, we can, as members of the Opposition, members on this side of the House, raise questions of public importance; otherwise there is no necessity of having a session at all. It is not always necessary to refer these matters to the Chief Minister. When the House is in session, I can, with the permission of the Speaker, mention this matter before the House.

(Janab Md. Khuda Bukhsh rose to speak.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: When I raised this question——

Janab MD. KHUDA BUKHSH: Sir, I am on my legs.

The Hon'ble Dr. BIDHAN CHANDRA ROY: All right, you go ahead. Let him say, Sir.

Janab MD. KHUDA BUKHSH: Sir, the Hon'ble Niharendu Dutt-Mazumdar said to the Speaker of the House that the duty devolved on the Hon'ble Speaker to take the permission of the Leader of the House——

The Hon'ble NIHARENDU DUTT-MAZUMDAR: I did not say that. I said "it is for the Hon'ble Speaker to permit or not to permit".

Janab MD. KHUDA BUKHSH: Sir, he said that the duty devolved on the Hon'ble Speaker to take permission of the Leader of the House——

The Hon'ble NIHARENDU DUTT-MAZUMDAR: To permit or not to permit, and then to use his discretion.

Janab MD. KHUDA BUKHSH: Sir, shall I speak or he will interrupt me in this way? It is a very important question, because it has touched the dignity and prerogative and powers of the Hon'ble Speaker of this House. He said that the Speaker should consult the Hon'ble the Leader of the House. Sir, I contest this. I say, Sir, that within this House the authority of the Speaker is paramount and he is not obliged to seek permission of the Leader of the House or anybody for that matter. He can use his discretion and he can allow any member of the House to make a statement. When the Hon'ble Speaker has allowed an honourable member to speak, he has been within his competence and he has exercised authority which is his and nobody else's. And, Sir, by suggesting that the Hon'ble Speaker should seek the permission of the Hon'ble Leader of the House, I submit, he has offered an insult to the Chair.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am perfectly sure that Mr. Speaker knows how to protect his own dignity and status. When I raised this question—I see that there is a tempest in a tea-pot—I merely wanted to say that if I had heard about this incident in time, I would have sent the message to the Magistrate and would be able to give some definite reply. It appears that the Chief Whip had given his permission to Mr. Badrudduja to make this statement and not referred it to me for which I regret. It has nothing to do with the dignity of the Speaker or with the privileges of Mr. Badrudduja. That is the matter——

Janab MD. KHUDA BUKHSH: Sir, the Judicial Minister——

Mr. SPEAKER: Order, order. When the Leader of the House is on his legs, we have observed this convention that he is given a free hearing and he is given the courtesy which his position demands.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I am perfectly satisfied that you have acted in the way in which you could have acted in the circumstances. You have asked the member to inform the Chief Whip. The Chief Whip should have informed the party. But when I raised this question I did not get any information from the Chief Whip that this information had been given to him. If he had only given me that information—and Mr. Badrudduja often comes to me with different items of enquiry—if I had known that, I could have given him an answer to this question. It is for you, Mr. Speaker, to decide how and when a member can speak in this House.

Sj. BIMAL COMAR GHOSE: Sir, as the Chief Minister has said there is tempest in a tea-pot. You have explained the whole position, and I believe the procedure adopted is a correct procedure, it is a procedure that we have been following in this House. There has been unfortunately some incident for which you are not responsible. Of course today there is no

Leader of the Opposition, but in view of the fact that you have relaxed the rules in many respects and also that this is an abnormal House in many ways, and that you have allowed a member of certain eminence to speak; and when the rules and procedure for allowing such a member to speak had been fulfilled, I think there is no need for further discussion on the subject, and I suggest that it should be stopped.

Sj. SIBNATH BANERJEE: On a point of privilege, Sir. It is all right so far as the Chief Minister is concerned and so far as, Sir, you are concerned. They have said it is tempest in a tea-pot or in a tea cup and it was so when one of the Ministers said that you, Sir, should take the permission of the Chief Minister and this is preposterous. The Judicial Minister should at least understand this much.

Mr. SPEAKER: As it relates to a matter of procedure, I think I am justified in stating the position now anew. The position is, that, generally a statement is allowed to be made either by the Leader of the House or by the Leader of the Opposition. Unfortunately, members of the House know that there is no organised Opposition and there is no one in this House who might be called the Leader of the Opposition. Under the circumstances if a member wishes to make a statement on some matter of importance, the matter is generally referred to the Chief Whip who represents the Government in this House in all matters of Parliamentary procedure and I was not to be blamed in the slightest degree when I told Janab Syed Badrudduja that I could not allow him to make a statement unless and until he puts himself in touch with the Chief Whip who represents the Government. My view was that if the Government has no objection to the statement being raised by a member I will not stand in the way, because the Government will then be in a position to give a reply to his statement. Had there been any difference of opinion between the member trying to make a statement and the Government objecting to the same, the Speaker would have to decide whether he would allow the statement to be made or not. Objection should have been raised yesterday immediately Janab Syed Badrudduja rose to make the statement and not when he finished the whole of his speech. As he proceeded on with his statement and I found that there was no objection to the statement being made, I took it that Government had no objection to the statement being made and naturally there was nothing for me to interfere in the matter. Now, that is the exact position as it stands today and so far as the procedure is concerned. If the Chief Whip has not referred the matter to the Hon'ble the Chief Minister, that is a matter of their internal arrangement. So far as this House is concerned, the Chief Whip represents the Government in this House and any communication made to him is to be taken to be made to the Government and that should be understood to be the procedure for all time to come. In this connection, I will cite a ruling which was given in this House "If the Leader of the Opposition wishes to make a statement the Opposition Whip should inform the Leader of the House so that he would have an opportunity to come prepared". Now, so far as the Opposition is concerned there is no Whip. Now, therefore, the position is that as soon as the Chief Whip is informed the Government is informed. I think there is no use discussing the matter any further. If the Government wants to say anything, they are at liberty to say so, if they do not want to say anything in this matter, that is their concern.

The Hon'ble PRAFULLA CHANDRA SEN: Sir, yesterday, Janab Khuda Bukhsh handed over to me a telegram from Damkal or from some such place in Murshidabad in which it was stated that the minority community was being oppressed and that the paddy was being procured from them. I enquired into the matter this morning and I learnt that not a

single chhatak of paddy has been procured either from the minority or from the majority community within the Damkal police-station. So far as the prices of rice and paddy are concerned in the district of Murshidabad, they had considerably gone down. Since last week, however, they are rising in the town of Berhampore, where the rice is selling at Rs. 24 a maund and in other parts of the district it varies between Rs. 28 and Rs. 34. I have made necessary arrangements to rush supplies there.

Extension of time for submission of report of the Rule-making Committee.

Sj. ASHUTOSH MALLICK (Deputy Speaker): Sir, I beg to move that the time for submission of report of the Rule-making Committee be extended till the 31st March, 1951. I do not intend to deliver a speech but I only want to inform the House that this Committee has been carrying on its work but it has not been able to conclude its deliberations. I hope and trust that I shall be able to submit the report in due time. I think this will be the last occasion to pray for an extension of time.

Sj. BIMAL COMAR GHOSE: Mr. Speaker, Sir, this motion has come as a little bit of surprise to us, for I was under the impression that this Committee had suffered a death of inanition. That it is still living and there is a motion here of this kind for an extension of time is a surprise to us all. Sir, the issues involved are very serious. We wanted the Assembly Department to be separate and independent of the Government and that is the practice that is followed in countries from which we have borrowed most of our constitutional procedure and that is the practice that obtains in England. It is desirable that the Assembly Secretariat should be made independent and that the Speaker should be given power to control that Secretariat and I believe, Sir, if we want to run democratic institutions really and fairly it would be necessary for us to give effect to this procedure. I hope that the Committee will be able to finish its labour within the time asked for, but from past experience I am doubtful if the mover will not again come for another extension of time.

Janab MUDASSIR HOSSAIN: Mr. Speaker, Sir, I beg to oppose the motion for extension of time. Sir, this Committee was set up by this House on 9th January, 1948. You must remember the date, 9th January, 1948. This is monstrous and a hopeless proposition and speaks volumes of sloth and incapacity and want of earnestness on the part of the Committee especially of the office bearers who are their philosophers and guides. This Committee was formed on 9th January, 1948, and today it is going to be extended up to 31st January, 1951, and that means nearly three years, i.e., 1,095 days, i.e., in round figures 1,100 days or rather 26,400 hours. (Laughter.)

The Hon'ble Rai HARENDRA NATH CHAUDHURI: How many minutes and seconds?

Janab MUDASSIR HOSSAIN: You just multiply this figure by 60 and then by another 60 and you get the minutes and seconds. Sir, I do not understand what can be the reason for this dilatoriness. Sir, we Indians—or rather the present-day Indians—are adept in the art of imitation and experts in the art of coining and adopting slogans. Sir, there are the rules of the Mother of Parliaments which has cultivated and cherished the art of parliamentarianism and brought it to a high pitch of excellence and demonstrated its practicability.

Sir, if this Committee had no original power of thinking, they could have adopted the rules with such modifications, alterations and improvements as would have suited their purpose. This dilatoriness is monstrous. What

do we find? We have attained freedom and we must march with the times. Everything must be speeded up. But, instead of doing speedily, if we take three years for the purpose of making a few rules, then we have no right to be here. We should go away. Therefore, my proposal is, let this Committee be dissolved and a fresh Committee be appointed.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Does he forget the Urdu maxim (جلدی کا کام شیطان کا ہے

জল্‌দি কাম শয়তান কা হায়।

Janab MUDASSIR HOSSAIN: شیطان کا کام ہے یہہ دلیوں کا کام نہیں ہے یہہ جو کام ہے حضور یہہ

Sj. SIBNATH BANERJEE: মাননীয় স্পীকার মহোদয়—আমি হিসাব করে কত second লাগবে, বল্‌তে চাই না, কিন্তু আমরা শুনেছি এপ্রিল মাসের মধ্যেই নূতন election হবে। এই Houseটা থাকতে থাকতেই এই Ruleটা কার্য্যকরী করা দরকার। এই next session হওয়ার পূর্ব্বেই ৩১শে মার্চ্চ বাজেট, তারপর guillotine, তারপর House almost dead. সুতরাং এটা বলা মোটেই অপ্রাসঙ্গিক নয়। এই Houseটা থাকতে থাকতেই যাতে কিছু করতে পারি তেমন কিছু করা দরকার। সুতরাং আমি অনুরোধ জানাচ্ছি যে Deputy Speaker মহাশয় যেন চেষ্টা করেন যাতে অন্ততঃ এটা October হচ্ছে—যাতে Decemberএর মধ্যে এটা submit করতে পারেন। যাতে বাজেট sessionএ সেই নিয়ম কার্য্যকরী করা যেতে পারে। Legislature এবং Department একসঙ্গে জগাখিচুড়ি করে রাখা হয়েছে। তার ফলে এক একটা বিল হচ্ছে, Act হচ্ছে কিন্তু সবই High Court থেকে ফিরে আসছে, আরো অনেক অসুবিধা হচ্ছে যা এতদিন আমরা ভোগ করছি। এটা এতদিন আমরা tolerate করে এসেছি। সুতরাং আমি অনুরোধ করবো যে এটা তাড়াতাড়ি করা হোক। তিন মাস খুব কম সময় নয়। মুলাসির হোসেন সাহেব বলেছেন—সব সময় তিনি sense বলেন না কিন্তু আজকে যেটা বলেছেন সেটা sense—House of Parliament থেকে এটা copy করে নেওয়া যায়। এই copy করাতে দোষ নাই। এবং সেখানেই হচ্ছে genius. একটা constitution থেকে একটা জিনিষ করা তা স্বীকার করাতে দোষ হয় না। এবং সেটা সকলেই করে থাকে, অধিকাংশ লোকেই করে থাকে। কাজেই আমি অনুরোধ করবো যাতে এটা তাড়াতাড়ি করেন এবং Decemberএর মধ্যে report দেন যাতে new sessionএর পূর্ব্বে এটা function করতে পারে।

Mr. SPEAKER: As it concerns the Assembly Department and as objections have been raised in this House, I think it will be proper for me to explain a little as to what has been happening and why further extension of time is necessary to complete the labours of this Committee.

The position is that when the Committee was appointed, our House was the first to take up this question that under the new Constitution and for a proper functioning of democracy, it was necessary that the Assembly Secretariat should function as an independent body so that it may be able to discharge its functions properly and impartially in respect of every section of the House. That has been a principle which has been accepted in the House of Commons and that has been a principle which has been accepted since the time of Mr. Patel and, so far as the Centre is concerned, it has, so to say, achieved a good deal of autonomy in its administration. Therefore, this House appointed a Committee to consider as to what should be done with regard to this question. While the Committee was functioning, certain legal difficulties arose and at our instance the conference of the Speakers was held in Delhi on the 10th April, 1949. The Speakers' conference drew the attention of the Government with regard to the necessity of making provision in the Constitution itself so that the legal difficulties may disappear. Pursuant to the resolution of the Speakers' conference, the Constitution was changed and certain provisions were incorporated in the

Constitution. One of the provisions was that the House or each House of the Legislature of a State shall have a separate secretarial staff. With regard to recruitment and conditions of service, the Constitution provided that the Legislature of a State may by law regulate the recruitment and conditions of service of persons appointed to the secretarial staff. It also provided that until provision is made by the Legislature of the State under clause 2, the Governor may, after consultation with the Speaker of the Legislative Assembly, make rules regarding recruitment and conditions of service of persons appointed to the secretarial staff. After this Constitution was passed, we considered the matter from the point of view of making the Assembly Secretariat as independent as possible consistently with its efficiency and also consistently with the fact that there may be no grievance to any section of the House with regard to its proper administration. Pursuant to that we have made some suggestions to the Government and the Government has been considering those proposals. We have not as yet received any definite reply on those proposals and until we receive its considered reply on those matters, it will not be proper to place the whole matter before the Committee which was constituted. The matter is no doubt a simple matter, but, at the same time, it involves certain principles and certain methods of procedure.

If I and the Government agree to the rules, the task for the Committee will be easier. If there be any difference on any point, the matter will be considered by the Committee and the Committee in due course will make its report upon the subject. This is an important matter and raises questions which are of paramount importance. On account of the independence that we have achieved and also on account of the fact that future legislatures of our States are so to say sovereign bodies with regard to their areas, it is absolutely necessary that so far as the Assembly Secretariat is concerned, it should achieve such amount of independence as is necessary in order to suit the new conditions which have arisen. I do not wish to take up your time to enunciate various principles or things in detail. It is sufficient for me to say at this stage that the motion for extension of time of the Committee is one that is necessary in the circumstances of the case. I hope however that we shall be able to arrive at a definite conclusion over the matter, and I also hope that the motion moved by the Deputy Speaker will be accepted by the House.

The question before the House is——

Sj. SIBNATH BANERJEE: Sir, before the question is put may we have the information as to who are the members of the Committee and how many sittings had been there?

Mr. SPEAKER: I am giving you that information. The members of the Committee are—

(1) The Hon'ble Minister-in-charge of the Home Department.
(2) The Hon'ble Minister-in-charge of the Finance Department.
(3) Sri Amar Krishna Ghose.
(4) Sri J. C. Gupta.
(5) Sri Debendra Nath Sen.
(6) Sri Bimal Comar Ghose.
(7) The Hon'ble Niharendu Dutt-Mazumdar
(8) The Hon'ble Bimal Chandra Sinha.
(9) Sri Shyamapada Bhattacharyya.
(10) Sri Radha Nath Das.

(11) Shaikh Mohammad Rafique.

(12) Janab A. F. M. Abdur Rahman.

(13) Sri Anandilal Poddar.

(14) Sri Jyoti Basu.

(15) Mr. L. R. Pentony.

(16) Sri Ashutosh Mallick.

The dates on which the Committee sat are 6th February, 1948, 24th May, 1948, 7th June, 1948, 28th June, 1948 and 30th June, 1948. These are the dates on which the Committee sat. Then the question arose with regard to some legal matters. Then the matter was referred to the Constitution. Then the Constitution was amended. And now this is the position.

Janab MUDASSIR HOSSAIN: Janab Abdur Rahman has resigned and has gone away.

Mr. SPEAKER: Yes, he has gone away.

The motion of Sj. Ashutosh Mallick that the time for submission of report of the Rule-making Committee be extended till the 31st March, 1951, was then put and agreed to.

GOVERNMENT BILLS.

The Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Sj. SUSIL KUMAR BANERJEE: Sir, with your permission I beg to move that in clause 2, in the proposed section 60A, in lines 6, 7 and 8, the words and figures, "", notwithstanding anything contained in sections 58, 59 or 60," be omitted.

The motion was then put and agreed to.

The question that Clause 2, as amended, do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clauae 4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that the Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950, as settled in the Assembly, be passed.

Sj. SIBNATH BANERJEE: পূর্ব্বে আপত্তি জানিয়েছিলাম যে penal sectionএ লাভ হবে না। তাতে উদ্দেশ্য সিদ্ধ হবে না। Primary Educationএর যে সম্প্রসারণ চাইছেন সেটা হবে না। তার উত্তর মন্ত্রীমহাশয় দিতে পারেননি। কেবল অবান্তর উত্তর দিয়েছেন। আমি কি চাই যে ১০ বৎসরের শিশু কাজে যাক? আমি নিশ্চয়ই তা চাই না। আমি চেয়েছি, তাদের যদি খাওয়ার ব্যবস্থা না হয়; তাদের family maintenanceএর যদি ব্যবস্থা না হয় তাহলে এই আইন কাগজেই থেকে যাবে এর ব্যবহার হবে না।

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, is there any use repeating the same arguments which were used yesterday?

Mr. SPEAKER: If you advance new arguments, Mr. Banerjee, it will be better.

Sj. SIBNATH BANERJEE: Sir, I am sorry to point out that perhaps Mr. Speaker was talking to the Secretary when I was making my speech-Sir, I was refuting the arguments that the Hon'ble Minister had advanced yesterday. He made a statement that I want the children to work. Nothing of the kind. He had no right to draw that inference. He tried to distort my arguments.

আমি বলেছিলাম যে penal sectionএ হবে না অন্য কিছু করতে হবে। এবং penalty বা কার হবে? ছেলের সাজা হবে, না বাপের সাজা হবে, না সেই গ্রামের লোকের collective fine হবে' বুঝতে পাচ্ছি না। আমার কথা হচ্ছে এই যে এটা inoperativeই থেকে যাবে। এই আইনের দ্বারা যা করতে চাইছেন, তা হবে না। আর গ্রামে primary education free করতে বলেছেন এবং cost priceএ বই দিতে বলেছেন, দিচ্ছেন তো এক টাকারটা আট আনায়, সেই আট আনাতে সে বই যদি সে না কিনতে পারে, তাহলে বাপকে ঘটী বাটী বাঁধা দিয়ে মহাজনের কাছ থেকে ধার নিয়ে শেষকালে সর্ব্বস্বান্ত হতে হবে একথা বলেছি।

Janab MUDASSIR HOSSAIN: Mr. Speaker, Sir, the whole scheme and plan of Government of imparting primary education to the children of the soil is based upon a false conception and a fallacious policy. Every year it is said that it is impossible to introduce free and compulsory primary education unless and until we have sufficient funds in our hand for the purpose and the Hon'ble the Education Minister—not only this Education Minister but all Education Ministers before him adorning the Treasury benches of this Assembly even before the attainment of independence have said that we would require vast sums of money, say 20 or 30 crores of rupees, for imparting free and compulsory primary education to our illiterate masses. The percentage of literacy in this country or rather in Bengal is not more than 15 per cent. Therefore the remaining 85 per cent. are illiterate and if we compare the literacy of our men and women, we will find that women are more illiterate than men. But as time marches on it is our duty to impart education to our girls. In all civilised countries wherever there was illiteracy steps have been taken to educate the illiterates including the illiterate adult people, and this has been done very successfully. When the Turkish Republic was established the number of illiterates in Turkey was about 80 or 85 per cent. just as is the case today with our country. But in the course of the last 25 years the number of literates has so increased that today about 80 per cent. of the people there are literate. In Russia in those parts where the Muslims predominate, i.e., in the five Soviet Republics where the people were only recently in medieval stage, illiteracy has been totally liquidated within the last twenty-five or thirty years and now the percentage of literacy is nearly 95.

Now, Sir, as regards the scientific attainments of the Muslim people in Central Asia and of other republics of Soviet Russia I was reading the

other day in a magazine that the Science Department there are not in any way inferior to the Russians proper. In short they have within thirty years taken their rightful place in the great Soviet Union although, as I have just stated, their illiteracy was till recently about 95 or 98 per cent. So they have within this short period taken their position on a footing of equality with other Russians. Sir, we have now attained our independence, and it is our duty to impart education to the children of the soil who are poor and unable to meet their own expenditure for the purpose of giving education to their children. But if the Hon'ble the Education Minister goes on in this way, Sir, I can foretell that he will never be able to remove illiteracy and with his snail's pace the percentage of literacy will never exceed 20. Sir, my friend is always harping where shall I get so much money for the purpose of giving education to the vast number of illiterates. But, Sir, if you go through the methods by which other countries have imparted primary education to their teeming dumb-driven millions you will certainly realise what can be done from the existing resources of your country. If you go on spending money for the purpose of imparting education to the teeming dumb-driven millions from the provincial revenues you will never succeed. You are then bound to fail. In other countries it has been made the responsibility of the local bodies to give education to their illiterate dumb-driven masses. In our State of West Bengal and in our Indian Union we have our local bodies called union boards. The union board is the first rung in the ladder of self-government and therefore I hope and pray, Sir, that he will examine in his Cabinet whether he should make the union boards responsible for imparting education to the poor illiterate teeming dumb-driven——(The Hon'ble PRAFULLA CHANDRA SEN: Cattle!) ——I would not say "cattle" but masses of people. If the Hon'ble Minister wants to make men cattle they will always remain cattle. I find, Mr. Speaker, that it is in the hands of those gentlemen over there to make cattle men, and let them do so as best as they can.

Now, Sir, my first point in opposing this Bill is that you make the local bodies responsible for giving free and compulsory primary education to the poverty-stricken illiterate people in our villages. Now the question is, how can the local bodies raise funds for the purpose of imparting education to the illiterate masses of people. You can levy a cess on everybody and it is only by the adoption of a co-operative method that you can impart real and true education to the dumb-driven masses. I can cite instances where this has been done and done successfully. If you go to a village,—I have been going round villages for the last forty-five years—I can say that a village possesses about 2,000 bighas of land, and the village community and by community I do not mean Hindu community or the Muslim community, but I mean the entire human community in the village—not the damned Hindu community or the damned Muslim community (laughter). If I am unparliamentary, Sir, please excuse me (laughter). Sir, in our Union, I mean the Union of India of which my beloved West Bengal is a part, you will find that each union consists generally of villages numbering from 10 to 20. There are 2,000 bighas of land in each village—that is an average which I have ascertained, if I am not correct my Hon'ble friend the Hon'ble Minister who knows better because he happens to be a very big zemindar which I am not, will correct me. You can just tell the people who are owners of the land "you must pay a certain amount, a certain proportion of your paddy, of your produce for the purpose of educating your children"—it may be 5 per cent., it may be 2½ per cent. it may be 1 per cent. according to the needs of the people and if this money in some form or other be raised, either in cash or in kind—rice or paddy—from the entire union, it will cover all the expenses of imparting education to the children of the poverty-stricken people and you will not have to pay anything from your exchequer, and even

if you pay for equipment or any other thing, if you abrogate or repeal the education cess and make the zemindars and other landowner persons responsible you will find it very easy to get the money.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Will you talk *about the* Bill?

Janab MUDASSIR HOSSAIN: I am talking about the Bill. It is the Bill of my friend the Hon'ble Education Minister—Primary Education. I am talking on Primary Education.

Mr. SPEAKER: Up till now you have not said anything on the provisions of the Bill.

Janab MUDASSIR HOSSAIN: Let this Bill be repealed, let this Bill be dropped and a new Act with new provisions be enacted for the purpose of improving education.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, the point that was raised by Mr. Sibnath Banerjee last night was disposed of by me by observing that we are not going to impose any very serious penalty either on the students or on the guardians—not any on the students at least. Mr. Sibnath Banerjee is not aware of the provisions of the Bengal Primary Education Act. That is the difficulty with him. (Sj. SIBNATH BANERJEE: No, I am not aware; I plead guilty.) He has got to make a speech without knowing the subject; he has got to play to the gallery without being well posted on the matter in question. That is the difficulty with him. Now, let us see what penalty we are going to impose and how. We are going to amend the Primary Education Act by inserting a new section to the effect that students who will be admitted once into the primary schools should continue up to the end of the primary stage. That is the new provision. (Sj. SIBNATH BANERJEE: What is the penalty?) We are going also to amend the sections for implementation, viz., section 61 and section 62. Now, section 61 of the Bengal Rural Primary Education Act says that it is for the Attendance Committee to enforce the provision for compulsion. Now, who will constitute the Attendance Committee? The Union Board, the Union Committee or the Panchayet concerned will be responsible for the enforcement of the provisions of these sections and subject to the prescribed conditions will appoint one or more Attendance Committees for this purpose. It will be the duty of these Attendance Committees to see that the students do really attend. (Sj. SIBNATH BANERJEE: So far it is all right.) Then there is a further amendment with reference to section 62. Section 62 says, if the Attendance Committee is satisfied that a guardian has without reasonable excuse—I repeat without reasonable excuse—and after receiving a written caution from the Attendance Committee fail to comply with the provisions of the section, it shall send a written complaint against the guardian to a Magistrate. So, it will be for the guardian to make out that he has reasonable ground not to send his boy to the school. Only if he can make out that ground to the satisfaction of the Attendance Committee which will be composed of men of the locality, then in that case he will get exemption, he will not be penalised at all. But if he cannot satisfy the local Attendance Committee that his ward should be given exemption, only in that case he will be infringing the law and will be coming within the mischief of the law and he will have to pay the penalty, otherwise not. Now what is the penalty? Section 63 says, if a guardian has without reasonable excuse—again without reasonable excuse—fails to comply the direction issued to him under sub-section (2) it shall sanction his prosecution and on conviction by a Magistrate such guardian shall be liable to pay a fine which might extend to Rs. 5. This is the penalty of which Sj. Sibnath Banerjee is afraid. Every guardian, as I have said, will

be entitled to furnish reasonable ground and get exemption. Take for instance, a father whose son's health is really so poor that he cannot send his son to attend a primary school, to get free primary education. In that case of course he will be exempted by the Attendance Committee, otherwise he will be liable to pay the penalty and the penalty may extend to Rs. 5, the exiguous amount of which Sj. Banerjee is afraid. I think after this he will be satisfied.

Now, Sir, a very sensible suggestion has come from an almost unexpected quarter, I mean from my friend Mr. Mudassir Hossain. We do appreciate the argument of Mr. Sibnath Banerjee that in some cases it may be necessary to provide for maintenance grant just as very rich countries like England have been able to do. Now, that will require money. Where is the money going to come from? That is the question that was raised by Janab Mudassir Hossain and he suggested the solution. He brought it to the notice of the House that in progressive countries such monies are furnished by the local authorities from local rates. In this country the only local rate that has been imposed for education is the Primary Education Cess and the Primary Education Tax and that also in the rural area. Now, Sir, what is the yield of the Primary Education Cess and the Primary Education Tax? Only 40 to 50 lakhs and the Provincial Exchequer has got to supplement that fund by a contribution of nearly a crore, that is, almost two-thirds of the cost of primary education is now being paid from the Provincial Exchequer. The position is almost the reverse in progressive countries like England. There the major part of the money required for promoting not only primary but also secondary education is contributed by the local bodies by means of local rates.

Will Sj. Sibnath Banerjee be surprised to learn the position in his own district—the district of his adoption—Howrah? In the district of Howrah they had to raise only Rs. 2½ lakhs as primary education cess and tax. Now in Howrah Primary Education Act has been brought into force for the last four years. The total demand will be to the tune of Rs. 10 lakhs for four years and Howrah, I am informed, paid only Rs. 6 lakhs. So, the cess-payers of Howrah have defaulted to the extent of Rs. 4 lakhs. It comes to this, therefore, that men like my friend opposite have got to move among the people and urge them to pay their cess and contribute more towards the cost of primary education. If they succeed, the dreams which are being cherished by them will be realised. If they fail in their endeavour, then their dreams will remain unrealised for a long time to come.

SJ. SIBNATH BANERJEE: Howrah is Sri Susil Banerjee's constituency. Mine is the labour constituency.

Sir, I want to withdraw my opposition——

Mr. SPEAKER: Order, order.

The motion of the Hon'ble Rai Harendra Nath Chaudhuri that the Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950, as settled in the Assembly, be passed, was then put and agreed to.

The West Bengal Collective Fines Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the West Bengal Collective Fines Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Collective Fines Bill, 1950, be taken into consideration.

Sir, under clause C(2) of the Delhi Agreement arrived at on the 8th April between the two Prime Ministers of India and Pakistan there was a provision that the two Governments shall punish all those who are found guilty of offences against persons and property and of other criminal offences. In view of their deterrent effects, collective fines shall be imposed, where necessary. The present Act did not empower the West Bengal Government to impose a collective fine, and therefore in pursuance of the above agreement the West Bengal Collective Fines Ordinance, 1950, was introduced providing for the imposition of collective fines, and it was published on the 14th September, 1950. Under Article 213(2)(*a*) of the Constitution such an Ordinance has to be replaced by an Act, and therefore, Sir, I have very great pleasure in introducing the West Bengal Collective Fines Bill which, in its Statement of Objects and Reasons, gives the whole basis.

(Sj. Sibnath Banerjee rose to speak.)

Mr. SPEAKER: Do you want to oppose consideration?

Sj. SIBNATH BANERJEE: No, Sir. I support it, but it is conditional support. যে বিল এনেছেন, এর খুব প্রয়োজনীয়তা অনুভব করেছিলাম ফেব্রুয়ারী এবং মার্চ মাসে। আমি privately Chief Ministerকে এবং publicly আরো অনেক বড় বড় লোককে জানিয়েছিলাম যে এটা বন্ধ করতে হলে collective fineএর অত্যন্ত প্রয়োজন। কারণ যাদের দিয়ে করান হয় তারাই সামনে থাকে, পুলিশের ডাণ্ডা খায় আর যারা পিছনে থাকে তারাই বেহাই পেয়ে যায়, তারা টাকা খরচ করে কিন্তু ধরা পড়ে না। বিশেষতঃ কলকাতার যে সব বস্তি পোড়ান হয়েছে। তার পিছনের ইতিহাস জানা গিয়েছিল—যদিও সব প্রমাণ করা কঠিন সব বড় বড় লোক বস্তির মালিকেরা টাকা দিয়ে পেট্রল supply করেছিল। ঠিক এইরকম ব্যাপার চলেছিল। অবশ্য Dr. Royর পক্ষে এটা ধরা কঠিন। কিন্তু collective fine সেই areaতে হলে সকলকে এর মধ্যে এসে পড়তে হবে। এই বিল বর্ত্তমান অবস্থায় দরকার না থাকলেও এই power Governmentএর হাতে থাকা দরকার। তাই আজকে এই বিল support করছি।

কিন্তু একটা conditionএর কথা বলছি। এই provisionএর মধ্যে তিনি বলেছেন -

> "It would be inexpedient to ignore the fact that the forces of lawlessness and disorder are still operating."

এর মধ্যে labour union আর strike যদি হয় সেগুলিও আসবে কিনা জানি না। Strikeকে collective fineএর মধ্যে ফেলবেন কিনা জানিনা। এই বিলের সে উদ্দেশ্য ছিল না। তবে আইনকে distort করে আমাদের খোঁড়া করে রাখে। তা নাহলে এই বিলকে আমি support করছি এবং আশা করি প্রয়োজন হলে যেন এটার সুপ্রয়োগ করা হয়। Collective fine impose হওয়ার পর দেখা যায় অনেক সময় assessmentএর সময় অনেকেই ফাঁকি দিয়ে যায়। বড় বড় লোকদের উপর assessment কমই করা হয়, তারা বেহাই পেয়ে যায়। আর গরীবরা মারা পড়ে, বিশেষ করে মধ্যবিত্তরা। কিন্তু আমরা চাই execution ব্যাপারে তারা যেন খুব সাবধান হতে পারে। এই বলে আমি এই বিল সমর্থন করছি।

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Collective Fines Bill, 1950, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill, was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill, was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill, was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill, was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill, was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill, was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Collective Fines Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The West Bengal National Volunteer Force (Amendment) Bill, 1950.

The Hon'ble BHUPATI MAJUMDAR: Sir, I beg to introduce the West Bengal National Volunteer Force (Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble BHUPATI MAJUMDAR: Sir, I beg to move that the West Bengal National Volunteer Force (Amendment) Bill, 1950, be taken into consideration.

Sir, under section 10(*1*) of the said Act the power of calling out a volunteer for duty can be exercised by the District Magistrates and the Commissioner of Police in Calcutta. Sometimes occasions arise when it becomes necessary for the State Government themselves to take immediate action and depute volunteers to a disturbed area and to detail them to duty straight from the training centre.

The amendment empowers the State Government and certain responsible officers under them to call out volunteers to meet such situation.

With these words, Sir, I commend my motion for the acceptance of the House.

SJ. SIBNATH BANERJEE: Sir, I wish to oppose this. West Bengal National Volunteer Force Act যা রয়েছে আমি মনে করি সেটাই ভাল আছে। তাতে power আছে, District Magistrateএর এবং power আছে, Police Commissionerএর volunteerদের call করবার জন্য। মাত্র ১৯৪৯এ Actটা করা হয়েছে। এখনি কি প্রয়োজন হল, আরও কয়েকজনকে ক্ষমতা দেবার জন্য? আজকে ওরা এটা change করতে চাইছেন কেন? অথবা ওরা চাইছেন রামা, শ্যামা, যদু যে কাউকে দিয়ে volunteerকে call করাবেন। সেটা কি ঠিক হবে? কাজেই আমার মতে যে অবস্থায় এটা আছে, তাই যথেষ্ট আছে। সে অনুসারে যখন volunteer call করা দরকার হয়, District Magistrateই করবেন। The District Magistrate is the fittest person to know--কোন গোলমাল কোথাও হচ্ছে কিনা। Somewhere in the mufassal কোথায় কি breach হচ্ছে in West Bengal, তা আর কেউ জানে না তিনি ছাড়া। সুতরাং এই বিলে যে দেওয়া হচ্ছে Deputy Commandant Unit Commandant, volunteerদের call করবার power, এইরকমভাবে সকলকেই যদি power দেওয়া হয়, তাহলে তা misuseএর যথেষ্ট সম্ভাবনা আছে। District Magistrate is

the most responsible officer in the district, তাদ্বারা যদি কিছু misuse হয় সেজন্য he can be brought to book. যেমন হাওড়াতে দেখা গেল, Magistrate ঠিক করছে না; অমনি গভর্ণমেণ্ট তাকে সরিয়ে দিতে কার্পণ্য করেনি। কাজেই যাকে তাকে ক্ষমতা না দিয়ে বিলটা যেমন-ভাবে রয়েছে তেমনিভাবে থাকলেই ভাল হয়। শয়তানী কথাটা আজকে এখানে চালান হয়ে গেছে। আমি যখন বলেছিলাম, আপত্তি হয়েছিল, আমি অবশ্য শয়তানী কথাটা বলব না শুধু বলব আমাদের ভাল গভর্ণমেণ্ট চক্রান্ত দ্বারা এই বিলটা এনেছেন, তাছাড়া এমন কোন যুক্তি এর পেছনে নাই যাদ্বারা আমরা বিলটাকে support করতে পারি।

The Hon'ble BHUPATI MAJUMDAR: আমি শিবনাথ বাবুর কথার ভাল জবাব দিতে পারব এবং আশা করি জবাবের পর, তিনি যতগুলি সন্দেহ করেছেন তার একটাও থাকবে না। প্রথম কথা পশ্চিম-বঙ্গের সব জেলায় volunteer নাই। হাওড়া জেলায় volunteer যখন দরকার পড়ে District Magistrateই ডাকেন। কিন্তু দরকারের সময় মাত্র ৩।৪ ঘণ্টার পথ যে বর্দ্ধমান, সেখানে volunteer পাঠান যায়নি। বর্দ্ধমানে volunteer না থাকায় এত কাছের হাওড়ার volunteerও সেখানে পাঠান সম্ভব নয়। তিন-চারটে districtএ মাত্র volunteer আছে। তাদের control যদি একমাত্র District Magistrateএর উপরেই থাকে তাহলে তাড়াতাড়ি call করতে হলে, তাদের অনেক সময় অনেক ক্ষেত্রেই পাওয়া সম্ভবপর হয় না। হঠাৎ যদি emergency arise করে, তাঁদের straight from the camp যাতে depute করা যায়, সে ব্যবস্থার জন্য, এই নূতন amendment আনা হয়েছে। আমাদের এই difficulty গতবারে দাঙ্গার সময়ে হয়েছে। আমাদের ক্যাম্প রয়েছে এবং volunteerও রয়েছে অথচ তাদের আমরা সময়মত ব্যবহার করতে পারিনি। ২৪-পরগণায় যদি গোলমাল হয় borderএ, তাহলে কাঁচড়াপাড়া যেটা নদীয়া জেলার মধ্যে, এত কাছে থাকা সত্ত্বেও, within half a mileএর মধ্যে গোলমাল হলে, সেখান থেকে suddenly volunteer আনা যায় না। এ নিয়ে গত গোলমালের সময় আমাদের অনেক বেগ পেতে হয়েছে, তাড়াতাড়ি এক জায়গায় volunteer আর এক জায়গায় নিতে পারিনি। সেই অসুবিধা হয়েছে বলেই এই amendment করা হচ্ছে। এটা সম্পূর্ণ ভালর জন্যই করা হচ্ছে। শয়তানীর জন্য করা হয়নি, যেটা শিবনাথবাবুর উদ্দেশ্য।

The motion of the Hon'ble Bhupati Majumdar that the West Bengal National Volunteer Force (Amendment) Bill, 1950, be taken into consideration, was then put and agreed to.

Mr. SPEAKER: We will proceed after the recess.

(At this stage the House was adjourned for fifteen minutes.)

(After adjournment.)

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Sj. SUSIL KUMAR BANERJEE: Sir, I beg to move that in clause 2, in proposed sub-section (*a1*) of section 10, in line 1, after the words "State Government or" the words "Provincial Commandant" be inserted.

The Hon'ble BHUPATI MAJUMDAR: I accept the amendment.

The motion was then put and agreed to.

The question that clause 2, as amended, do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble BHUPATI MAJUMDAR: Sir, I beg to move that the West Bengal National Volunteer Force (Amendment) Bill, 1950, as settled in the Assembly, be passed.

Sj. SIBNATH BANERJEE: মিঃ স্পীকার, স্যার, আমাকে মাননীয় মন্ত্রীমহাশয় বলেছিলেন তিনি আমাকে convince করবেন। কিন্তু convince করতে পারেননি। তিনি যে সমস্ত difficultiesএর কথা বললেন সেটা আমি appreciate করলাম। কিন্তু আমি জানি Writers' Buildings বলে একটা পদার্থ আছে, যেখান থেকে পুলিশ, volunteer force control করা হয় এবং দরকার-মত ভিন্ন ভিন্ন জায়গায় পাঠান হয়। কোথাও যদি disturbance হয় তাহলে Commandant কাঁচড়াপাড়া থেকেই মনে করলে লোক পাঠাতে পারেন। এটা অসম্ভব মনে হয়--যেটা তিনি বলেছেন যে একটা district থেকে আর একটা districtএ ঠিক সময়মত force পাঠান যায় না। প্রত্যেক districtএর সঙ্গে telephone বা অন্য কোন communicationএর ভাল বন্দোবস্ত করলেই, কার্য্যসিদ্ধি হত। কিন্তু যেরকমভাবে ব্যাপক power তাঁরা হাতে নিলেন তাতে আমার সন্দেহ হচ্ছে, যে মন্ত্রীমহাশয়ের আশ্বাস দেওয়া সত্ত্বেও এটার misuse হবে। আমার মতে এতখানি powerএর দরকার ছিল না। কারণ কোন districtএ disturbance হলেও Writers' Buildingsএর through দিয়ে telephoneএর দ্বারা কার্য্য করা যেতে পারে। সকলকে এতখানি power দেওয়ার যে অপচেষ্টা সেটা আমি oppose না করে পারছি না।

The motion of the Hon'ble Bhupati Majumdar that the West Bengal National Volunteer Force (Amendment) Bill, 1950, as settled in the Assembly, be passed, was then put and agreed to.

The West Bengal Security (Amendment) Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the West Bengal Security (Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Security (Amendment) Bill, 1950, be taken into consideration.

Sir, this is also an amendment which is practically an offshoot of the Delhi Agreement in which there is a clause that the State Government will have to take certain steps with regard to the press and any other persons who are printing matters which are according to the present term of the Act of a prejudicial character. Sir, it is necessary in view of what has appeared in the Constitution and in view of the finding of the law-courts that the term "prejudicial report" should be more correctly defined and the provision that has been made is that it means any report, statement or physical representation which undermines the security of the State or tends to overthrow the State. This clause, we are advised, would be sufficient to indicate the nature of the report and would be sufficient for the Government to take steps.

Sir, the two other amendments or two other provisions of the Bill are that in section 21(*1*)(*a*) which is in the present Security Act there is no

provision for taking photographs, finger-prints and specimens of handwriting of a person who is externed—this is found necessary for the purpose of keeping records for establishing identity. The second provision in the Bill is a proposal to replace section 38 in view of the remarks of the High Court the other day in which they suggested that the present Act which empowers the Government to delegate its powers to any one is not quite in consonance with the provisions of the Constitution. Therefore, it is suggested there that delegation should be only to certain types of officers. Here it is put down that the delegation should be to the Commissioner of Police, First Land Acquisition Collector, Second Land Acquisition Collector and elsewhere to District Magistrates or Additional District Magistrates or Special Land Acquisition Officer. Sir, the reason why the Land Acquisition Officers have been brought in into the Act is that in many cases under the Security Act we have to act so far as acquisition of land and restoration of property to particular persons are concerned and there should be a provision there that the Government may delegate this power to such officers in order to take action wherever that is found necessary.

Sir, these are the four sections which have been altered. There is another section—clause 6—which provides that those orders and actions, which have been taken under the amending Ordinances XI and XIV of 1950, will be, on such Ordinances ceasing to operate, deemed to have been made or taken under the Security Act of 1950, as amended by the present Bill.

Sir, with these words, I put the Bill before the House.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, I oppose the Bill with all the emphasis I can command. Dr. Roy আমাদের তেঁতো ঔষধ sugar-coated করে গেলাবার চেষ্টা করছেন। এর সঙ্গে pactএর কোন সম্পর্ক নাই। এই যে নূতন power তারা নিতে যাচ্ছেন এটা প্রথম যখন এসেছিল তখন তাকে lawless law বলা হয়েছিল। কিন্তু আজ দেশ স্বাধীন হওয়ার পরেও Government যদি প্রত্যেক sessionএই এটাকে amend করে নূতন নূতন বাধার সৃষ্টি করেন সেটা অত্যন্ত নিন্দনীয় এবং গর্হিত। ভোটের জোরে এটাকে পাস করতে পারবেন কিন্তু এটা লজ্জার কথা যে প্রত্যেক sessionএই তারা Security Act নিয়ে আসবেন "in order to secure to its citizens liberty of thought, expression, belief and worship" তাতে সামান্য যে স্বাধীনতা আমাদের pressএর আছে তা curtail করা হচ্ছে। এর দ্বারা pressকে gag করা হচ্ছে। অবশ্য আজকে pressএর সঙ্গে শ্রমিকদের বিশেষ কোন যোগাযোগ নাই। অনেক বড় বড় কাগজ capitalistরা কিনে নিয়েছে এবং যা দু'একটা আছে তা হয়ত শীঘ্রই হাত বদল হয়ে যাবে। সুতরাং তারা capitalistদের কথাই বলেন শ্রমিকদের কথা—তাদের সংগ্রামের কথা—কিছুই থাকে না। তারপর press এখনও Governmentএর প্রশংসায় পঞ্চমুখ। তারা Governmentএর ঢাক পিটিয়ে আসছে। তা সত্ত্বেও Government সন্তুষ্ট নয়। নানা নূতন ফিকির করে তাকে gag করার চেষ্টা হচ্ছে। এটা আপনারা জানেন যে Constitutionএ বলা হয়েছে "to bring them in line with the provisions of the Constitution of India safeguarding the fundamental right to freedom of speech and expression".

Security Actএর দ্বারা এবং fine করে খবরের কাগজের কিছু লেখা বন্ধ করে দেওয়ার চেষ্টা হচ্ছে। তারা pactর দোহাই দিয়েছেন। তারা চায় যা হিটলার, ষ্টালিন চেয়েছিল। যাতে ছোট খাটো কোন press বিরুদ্ধ সমালোচনা না করতে পারে তার চেষ্টা হচ্ছে। এতে কি freedom of speech and expression gag হচ্ছে না? মাননীয় প্রধান মন্ত্রীমহাশয় আমাকে Chamber's consult করতে বলেছিলেন, এতে gag হচ্ছে কিনা তিনি কি মানেনা অনুগ্রহ করে জানাবেন। তারা gag করার জন্য অনেক কিছুই করতে পারেন। Newspaper bossদের ছেলেদের চাকরী দিতে পারেন। তাঁরা নানাভাবে newspaperকে control করছেন। আমি Governmentকে সতর্ক করে দিতে চাই। সব কাজেরই একটা limit

আছে। তাঁরা প্রত্যেক sessionএই এইরূপ lawless law প্রহসন করবেন এবং নির্জলা মিথ্যা কথা বলবেন এটা আমরা সহ্য করতে রাজী নই। আমরা তাদের মুখোস খুলে দেবো। সুতরাং আমি এই বিলের প্রত্যেকটি clause oppose করবো।

Janab Syed BADRUDDUJA: Mr. Speaker, Sir, I was not inclined to intervene in this debate this evening, but I find that there has been considerable misunderstanding on the part of my esteemed friend Mr. Sibnath Banerjee. Section 2 definitely lays down that "prejudicial report" means any report, statement or visible representation which undermines the security of the State or tends to overthrow the State. Then section 3 says: "In section 13 of the said Act, for sub-section (*1*), the following sub-section shall be substituted, namely:—

'(*1*) The State Government, if satisfied that the printing, publication, sale or distribution of any matter relating to a particular subject or class of subjects will undermine the security of the State or tends to overthrow the State, may by order addressed to a printer, publisher or editor, or to printers, publishers and editors generally,—

(*a*) require that any matter relating to such subject or class of subjects shall, before being published in any document or class of documents, be submitted for scrutiny to an authority specified in the order.' "

I find that the whole object of this provision is really commendable whatever interpretation might be put on it, whatever application might be made of the provisions in practical circumstances. Sir, we have seen from our bitter experience during the disturbances that day in and day out a section of the press indulged in such incriminatory statements, such sensational statements, sometimes distorted and exaggerated statements that they, instead of improving matters, instead of improving the position, tended to aggravate the situation all the more. If Government are inclined to introduce a provision which requires a particular printer or publisher to produce certain things before publication and submit them to the scrutiny of the Government, and if Government has got the intention to check any such distorted comments or exaggerated version of things, I do not see why Government will not be justified in introducing this provision. For the sake of opposition, we cannot oppose any and every provision. This particular section, to my mind, is well conceived. After the bitter experiences during the last three or four months we have felt to our cost that some such provision is absolutely called for and necessary in the exigencies of the situation. So, I do not feel inclined to oppose this particular provision in the Bill. There are other things which are more or less of an academic character on account of the recent decision of the High Court where it has been necessary to delegate certain powers to certain class of officers. That is more or less routine work. That is neither here nor there. So far as my humble self is concerned, I do not find anything objectionable, I do not find anything controversial, I do not find anything which smacks of any danger either to the Constitution or to the fundamental rights incorporated therein. I feel inclined to support the provision of the Bill.

Janab MUDASSIR HOSSAIN: Mr. Speaker, Sir, I also beg to support the provisions of this Bill. Sir, we have seen during the disturbances what abuse has been committed by the press here, and it is for the purpose of controlling the abuse, controlling and creating a sense of responsibility in the press of the country and in the interest of peace and good government of the country it is necessary that such a provision should be made, and I

congratulate our Hon'ble Chief for the measure that he has taken. But, Sir, I only beg to point out that this should be applied with justice and sympathy.

Sj. RATANLAL BRAHMIN : Mr. Speaker—আমি এই বিল বিরুদ্ধতা করছি। আপনারা জানেন যে এই ধরণের বিল আগেও পাস হয়ে গিয়েছে। আমি নিজের ভাষায় বলতে পারছি না তাহলে ভাল করে বলতে পারতাম।

(A VOICE: হিন্দিতে বলুন না, নিজের ভাষায় বলতে পারেন।)

আমি বাংলা নূতন শিখছি কিছুদিন থেকে। তাই বাংলায় বলবার চেষ্টা করবো।

Mr. SPEAKER : Please go on.

Sj. RATANLAL BRAHMIN : এই ধরণের বিল যখন আগেও পাস করা হয় তখন আমরা বিরুদ্ধতা করেছিলাম। সে সময় জ্যোতিবাবু ছিলেন আমাদের Leader, আর Chief Minister ছিলেন Dr. Ghose. তিনি বলেছিলেন, কোন রাজনৈতিক party'র উপর এটা প্রয়োগ করা হবে না। এখন হচ্ছে কি? শুধু আমাদের উপর অর্থাৎ রাজনৈতিক দলের উপর প্রয়োগ করা হচ্ছে। আমি একজন M. L. A., দার্জিলিংএর কোন এক জায়গাও খুন খারাপি ঘটে নাই। দার্জিলিংএ আমি মজুর-কৃষকদের পাশে দাঁড়িয়েছিলাম তাই আমি দুই বৎসর জেলে ছিলাম। আমার উপর অনেক অত্যাচার হয়েছে। আর আমার বউকেও এই আইনে ধরে জেলে পুরে রাখা হয়েছিল। তাঁর উপরেও অনেক অত্যাচার হয়েছে। এই বিল পাস করা জনসাধারণের পক্ষে খারাপ হবে। বাংলা দেশের রুক থেকে কত লোক মারা গিয়েছে, কত লোক রাস্তায়ও গুলিতে মারা গিয়েছে শুনতে পেয়েছি, আমি তখন জেলে ছিলাম। ছাড়া পাবার পর আমি দার্জিলিংএ ৪।৫ ঘণ্টা ছিলাম। তার মাঝেই দেখলাম যে একটা মেয়ে কয়লার লাইনে ভিড়ে চাপা পড়ে হাসপাতালে চলে গেল। দার্জিলিংএ কয়লার জন্য কি অবস্থা হয়েছে। এই কয়লার জন্য যদি কেউ সাধারণ লোকের পাশে দাঁড়িয়ে লড়ে, তবে সেও এই আইনের কোপে পড়বে। আগে এই বিলে শিবনাথবাবু বিরোধিতা করেন নাই এখন যখন করছেন তখন তার জেলে যাওয়ার time হয়েছে। এখানে বা বাইরে অত্যাচারের বিরুদ্ধে কিছু বললেই জেলে পুরে দেন বিনা বাধায় গরীবদের উপরে অত্যাচার চালাবার জন্য।

আমার মত সাধারণ লোক ইংরেজী কিছু বোঝে না। সেই সব জিনিষ বুঝে বিরুদ্ধতা করেন বলেই, আজ Jyoti Basuকে জেলের মধ্যে বন্ধ করে রাখা হয়েছে; এখন এই যে বিলটা এখানে পাশ হচ্ছে, এর সমস্ত মতলব আমরা ভাল করে বুঝতে পাচ্ছি না। আপনাদের এখানে ইংরেজী ছাড়া অন্য কোন ভাষা নাই। (The Hon'ble BHUPATI MAJUMDAR : আছে, নিশ্চয়ই আছে।) আমি একটা দরখাস্ত করেছিলাম আমার সামনে এটা একজন বুঝিয়ে দিন, কিন্তু সেটা করা হয়নি। আমাদের সব কিছু বুঝবার সুযোগ নাই। এইরকম অবস্থায় আমাদের মত লোক তারা আপনাদের "গণতন্ত্রের" ধাপ্পাবাজি সবটা ঠিক ধরতে পারে না। বলছেন দেশ "স্বাধীন" হয়েছে কিন্তু বাইরে Kingএর ছবি আজ পর্য্যন্ত রয়েছে, সুতরাং এসব জায়গায় পুরাতন জিনিষ ছাড়া, নূতন কিছুই পাওয়া যাচ্ছে না। আপনারা কেবল নানারকম ভাওতা দেবেন, না জনসাধারণের দুঃখকষ্ট দেখবেন, কিছুই বুঝতে পারি না। কাল আমাদের Darjeelingএর যারা electricএর কাজ করে তাদের licenseএর দরখাস্ত দিয়েছে। আপনারা বলছেন, না ইংরেজী ছাড়াও চলবে কিন্তু বিজলীতে যারা কাজ করে তাদের যখন license দেওয়া হয়, ইংরেজীতে ছাড়া অন্য ভাষায় তাদের পাশ করতে হলে, ৫।৬ শত টাকা ঘুস দিতে হয়। আমাদের যিনি বড় Minister তিনি বলেছেন—বাংলা জানেন না। বিদেশ থেকে যারা আসে তাদেরও বাংলা ভাষা শেখা দরকার ছিল, কিন্তু এখন এখানকার যিনি বড় Minister তিনি বলেছেন—আমি বাংলা ভাষা জানি না। এর চেয়ে আর লজ্জার কথা কি? আপনারা কি বিল পাশ করে অস্ত্র হাতে নিয়ে শাসন করবেন, না জনসাধারণের যাতে উপকার হয় তাই করবেন।

দার্জিলিংএর যে মজুরদের Security Actএ ধরে জেলে পুরা হয়েছে তাদের তিনজন family member, অথচ ভাতা দেওয়া হয়েছে আট টাকা—পনর টাকা। এতে কি করে চলে, একটু চিন্তা করলেই বুঝতে পারবেন। আজকার যুগে ২৫৲ টাকা একজনেরই চলে না। চা-বাগানগুলিতে Security আইন দিয়ে—অনেককে বাগান থেকে তাড়াবার চেষ্টা চলেছে। এজন্য সাধারণ লোকের উপর আজ অত্যাচার Security Act দ্বারা চলেছে। এ ভাবলেও বুক কেঁপে উঠে। জেলের ভেতর আমাকে মারা হয়েছে, সেজন্য

এখনও আমার গায়ে ব্যথা আছে। আমার যদি এ অবস্থা আমি একটা M. L. A. তাহলে সাধারণ লোকের কি অবস্থা বুঝতেই পারেন। সেজন্য আমি এই বিলের "বিরুদ্ধতা" করছি। আপনারা পাশ করতে পারেন কিন্তু জনসাধারণ এ বিল মানবে না। আপনারা জনসাধারণকে ফাঁকি দিয়ে আপনাদের নির্বাচন করিয়ে নিয়েছেন সেই জনসাধারণের কাছে গেলে আপনাদের তারা বিশ্বাস করবে না।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, those who have no লজ্জা will naturally feel that others are telling the untruth. Mr. Sibnath Banerjee has challenged the veracity of my statement. This provision arises out of the Delhi Agreement, but my friend, Sj. Sibnath Banerjee, is always ignorant of the case. If he will kindly look at the Agreement, provision (C)(VII), it is—"Take prompt and effective steps to prevent the dissemination of news and mischievous opinion calculated to rouse communal passion by press or radio or by any individual or organisation. Those guilty of such activity shall be rigorously dealt with". Provision (C)(VIII) says—"Not to permit propaganda in either country directed against the territorial integrity of the other or purporting to incite war between them and shall take prompt and effective action against any individual or organisation guilty of such propaganda". Therefore his statement that it does not arise out of the Delhi Agreement is absolutely out of consideration.

My next point is that this amending Bill, as has been pointed out by my friend, Janab Badrudduja, is really a restrictive Bill, and if he will only care to read—unfortunately my friend, Sj. Sibnath Banerjee, never takes care to read the present Act, he will find that "prejudicial report" means any report, statement or visible representation the publication of which is an incitement to the commission of a subversive act. The words "subversive act" is defined later on and includes a large number. Therefore in order to restrict the operation of the Security Act so far as the press is concerned it refers only to two items, namely, those cases where there is a certain amount of definite suggestion that the report or statement or visible representation undermines the security of the State or tends to overthrow the State and avoids all the other items under the definition of "subversive acts". That is the reason why in order to make it perfectly clear that any action taken under the Security Act by the Government would restrict itself to these two and to no other forms of subversive acts.

With regard to other items none of the speakers has said anything against it. So I take it that they approve of it. My two friends there are apprehensive that this Act will be used against trade unions but Dr. Ghosh had given an undertaking that it would not be used against trade unions. I may say here and now that these provisions are used only when a person is guilty of doing a subversive act as formulated in the Security Act; whether he belongs to a trade union or belongs to a particular party does not exclude him from the operation of the Act. I may be a congressman but if I go on throwing bombs or shooting people I certainly come under the Security Act, or if I am inclined to do so or am making arrangement to do so, then I certainly come under the Subversive Act or the Security Act. Law is no respector of persons however big he may be. He may cover himself under the cloak of being a member of the trade union or a member of a particular political association but he has got to submit to the operations of the provisions of the Act as it stands today.

With these words I beg your support to the motion.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Security (Amendment) Bill, 1950, be taken into consideration was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Sj. SIBNATH BANERJEE: I would like to speak on the 2nd clause.

Mr. SPEAKER: All right.

Sj. SIBNATH BANERJEE : এই clauseটা prejudicial. আমি জনাব বদরুজ্জার সঙ্গে একমত হতে পারিনি। তাঁর সঙ্গে আমার liberty of press সম্বন্ধে যথেষ্ট মতভেদ আছে। অনেক ত্যাগ স্বীকার করেছিলেন বৃটিশদের কাছ থেকে newspaper যারা এদেশে প্রবর্ত্তন করেছিলেন। আজকের ব্যবস্থায় freedom of the pressএর মানেই ওরা বদলে দিচ্ছেন। কারণ editorial পড়িয়ে approve করিয়ে নিতে হয়, কেন তা নিতে হবে? আমার যখন অধিকার আছে, সে অধিকার আমাকে establish করতে চাই। আমি যদি কিছু অন্যায় করি তার জন্য আমার যদি সাজা পেতে হয় পাব। ডাক্তার রায় খুব চটে গিয়েছেন। তিনি বলেছেন তার সঙ্গে এই Actএর কোন সম্বন্ধ নাই। দুনিয়ার সব কিছুর সঙ্গেই সব কিছুর সম্বন্ধ আছে। গ্রহ, নক্ষত্র, অণু, পরমাণু সবার সঙ্গে সবার সম্বন্ধ আছে। এইভাবে কল্পনা করে নেবার কথা অবশ্য বলছি না। আমরা বারবার গভর্ণমেণ্টকে বলেছি কোন কোন particular caseএর বিরুদ্ধে action নিন, কিন্তু তারা তা নেননি। আজকে নিজেদের অন্যায় চাপা দেওয়ার জন্য বলছেন, আমাদের power ছিল না। Power তাদের ছিল। Power ছিল না এটা মিথ্যা কথা। আমি কোন paperএ cutting পাঠিয়েছি কিন্তু কোন step নেওয়া হয়নি। আসল কথা এরা অত্যন্ত ক্ষমতা-লোভী হয়েছেন, অথচ যে ক্ষমতা আছে তাই ঠিকমত ব্যবহার করতে পারেন না। ইংরাজেরা ছ' হাজার মাইল দূর থেকে এর চেয়েও কম আইন দিয়ে, দেশ শাসন করে গিয়েছে। এদের কোন লজ্জাও নাই। ক্ষমতার মদে মত্ত হয়ে উঠেছে।

আজ বিচার বিভাগের মন্ত্রী এই সব কথা বলছেন। এই আইনের বিরুদ্ধে Habeas Corpus করে তখন আমরা released হয়েছিলাম। তখন তো তাঁরা এই আইন নিয়ে হৈচৈ চীৎকার করতেন। সে কথা কি আজ তাঁরা ভুলে গেলেন? তখন আমরা Regulation III দ্বারা arrested হয়েছিলাম। প্রফুল্ল সেন মহাশয় সেসবই জানেন। এখন অবস্থা বদলে গেছে। তাঁরা গদীতে বসেছেন। কিন্তু বৃটিশ আমলের সেই রকম অন্যায় অত্যাচারী আইন এখনো রয়েছে। আগে যে আইন ছিল, এটা তার চেয়েও আর এক কাঠি এগিয়ে যাচ্ছে।

আর একটা কথা বলেছেন, প্রধান মন্ত্রীও মেনে নিয়েছেন, Education Ministerও বলেছেন যে আমাদের পড়বার একটা capacity বা limit আছে। এত ছোট ছোট Act, কোথায় কোনটার amendment আনা হয়েছে, তা ঠিকমত খুঁজে পাওয়াই মুস্কিল। যদি তা পড়তে হয়, প্রধান মন্ত্রীমহাশয়ের কথা অবশ্য আলাদা, তাঁর অনেক সেক্রেটারী আছে pick up করে দেবার জন্য, তা সাধারণ লোকের পক্ষে পড়া সম্ভব নয়। এই session যে record establish করলো এতগুলো বিল এনে, এটা একটা প্রহসন ছাড়া আর কিছু হচ্ছে না। এই বিলটা প্রথম যখন এনে তাঁরা পাস করেন, তখনও তাঁরা এটা ভাল করে পড়েন নাই। তারপর কাউজ সাহেবের speech পেয়েছিলাম, তিনি বললেন না, ভুল হয়ে গেছে। বাবু রাজেন্দ্র প্রসাদের কাছ থেকেও নির্দ্দেশ এনে বলা হ'ল, ভুল হয়েছে। তার মানে সেটা পড়েন নাই আপনারা। এত বিল যদি একদিনে আনেন, তা পড়ে আসা বা পড়লেও মনে রাখা আমাদের দ্বারা বা অন্য কারও দ্বারা সম্ভব নয়। কারণ you are pulled up. Why? কেন আপনারা ভাল করে পড়েন নাই? আইন-সচিব রয়েছেন, প্রধান মন্ত্রী রয়েছেন, বিদ্বান বিদ্যাদিক্‌গজ রয়েছেন, শাস্ত্রী রয়েছেন, তা সত্ত্বেও কেন তাঁরা এইরকম ভুল করেন? আপনারা যদি পড়তেন ভাল করে এবং পড়ে যদি ভাল করে বুঝতেন, তাহলে একরম বিষম ভুল করতেন না। তারপর আবার গভর্ণরের নির্দ্দেশ অনুসারে কয়েকটী sectionএর amendment হয়। সে সম্বন্ধে আলোচনা করতে গেলাম, কিন্তু আপনারা বললেন গভর্ণর যে speech দিয়েছেন, তারপর আর কোন আলোচনা চলে না। তারপরে এটা এলো। আপনারাও পড়েন না, আমরাও পড়তে পারছি না।

যেটা সবচেয়ে ক্ষতিকর বলে মনে করছি সেটা হচ্ছে এই prejudicial কথাটা। এটা সম্বন্ধে পূর্ব্বেই আমি comment করেছি। এ সম্পর্কে High Court থেকে ruling দেওয়া হ'ল এরকমভাবে wrongful arrest করবার power তোমাদের নাই, ছেড়ে দাও। তখন বলা হ'ল, না, না, এর amendment কর। আপনারা ভুল করেছেন। আগের sessionএ যা করেছিলেন arrest করতে হলে গভর্ণর

ও গভর্ণমেণ্টের consent নিয়ে করতে হবে, গভর্ণরের Chief Secretary বা Home Secretaryও তা করতে পারেন। কিন্তু এখন সেই power দিয়ে দিচ্ছেন সকলকে। কেউ আর এখন বাকী নাই। First Land Acquisition Officer থেকে আরম্ভ করে Special Land Acquisition Officer অবধি সকলকেই powerটা দিয়ে দেওয়া হচ্ছে। এই pointএ আমরা, নিহারেন্দু দত্ত-মজুমদার মহাশয়ের স্মরণ থাকতে পারে, released হয়েছিলাম। আপনারা মনে করেন Governor প্রত্যেক caseএ personal attention দিয়ে থাকেন। কিন্তু আমি বলছি "The Governor did not apply his mind in ordering detention of every individual". এখানেও তার advantage নিচ্ছেন আপনারা। যার ইচ্ছা যে order দাও চলবে। হাইকোর্টের আইন ও তার প্রতি শ্রদ্ধা যদি আপনাদের না থাকে, তাহ'লে জনসাধারণের কাছ থেকে কি করে আশা করতে পারেন যে তাদের আইনের প্রতি বা কোর্টের প্রতি শ্রদ্ধা থাকবে?

ডাঃ রায় সেদিন বলেছিলেন এখনো পাঁচশো লোক under arrest রয়েছে। যদি কাউকে বিনা বিচারে বন্দী করতে হয় এটা করতে পারেন গভর্ণরের Chief Secretary, নিজের mind apply করে বলবেন, যাকে তাকে আটকান যেতে পারে। আমি বলবো সেটা wrong. Why should you do so? Chief Ministerএরও তা যখন দেখার দরকার নাই, তখন some Additional District Magistrate যদি মনে করেন এ prejudicial act করছে, তাহলে অমনি তাকে arrest করতে পারবেন। তার আর কোন মা-বাপ নাই। এই power is too much. That will be going to extreme.

তারপরে বলা হয়েছে "which undermmes the security of the State or tends to overthrow the State". এখানে যেসমস্ত কথা বলেছি তাও বলতে পারেন, undermines the security of State অথবা যদি বলি আইন ও শৃঙ্খলার প্রতি আপনাদের শ্রদ্ধা নাই, আপনারা এই আইন ও শৃঙ্খলা ভাঙ্গতে লোককে উৎসাহ দেখাচ্ছেন। তখনই তো আপনারা বলতে পারেন security of the State endanger করছি। কিন্তু there is a limit to it. কাজেই এই further amendment করার কোন দরকার নাই।

যে কথা বলছিলাম যেখানে power অনেক নীচে নামিয়ে দেওয়া যায় যেখানে ব্যক্তিগত কারণ ছাড়াও নানারকমে সেই powerএর misuse করার সম্ভাবনা। যদি ব্যক্তিস্বাধীনতা curtail করা হয়, তাহ'লে highest officerএর ওপরে অন্ততঃ এই ভারটা দেওয়া উচিত। সেখানেও যে powerএর misuse হয় না, তা নয়। কারণ তারও বহু প্রমাণ পূর্বেই আমরা পেয়েছি। নিকুঞ্জ মাইতি, প্রফুল্ল সেন, শ্রম-মন্ত্রী প্রভৃতি সবাই সেই কারণে তখন জেলে ছিলেন।

The Hon'ble NIHARENDU DUTT-MAJUMDER : তখন ইংরেজ বেখেছিল। এখন আর ইংরেজ নাই।

Sj. SIBNATH BANERJEE : হ্যাঁ। আপনারা যদি ব্যক্তিস্বাধীনতা হরণ করেন, তার জন্য কোন দোষ নাই। অন্ততঃ যুক্তি দিয়ে এটা বোঝাতে পারবেন না। কিন্তু ঐরকম যদি বলতাম bitter pill sugar-coated ক'রে, যেমন বদরুদ্দোজা সাহেব করেছেন। যেটা বলছি—security of State undermine করা—এটা একটা ফাঁকা জিনিষ—যদি বলি, এখানে চালের দাম অত্যন্ত বেশী, তাহলে পাকিস্থান হয়ত আক্রমণ করে বসবে। যদি বলি আমাদের দেশে উৎপাদন বেশী হচ্ছে না, জমিদারী-প্রথা উচ্ছেদ করা হচ্ছে না, তখন হয়ত আপনারা বলবেন তোমরা Stateএর বিরুদ্ধে বলছো।

Dr. Ghose তখন যেকথা এই Houseএ বলে গিয়েছিলেন যে Trade Unionএর কাজের জন্য কাউকে ধরা হবে না। তবে Trade Unionএর যদি কেউ কাউকে গুলি করে অথবা ঐরকম কোন অপরাধ করে, বোমা ছোড়ে, তাহ'লে যে তাকে ধরা হবে না, একথা বলছি না। তাকে ধরতে পারেন, তার জন্য যথেষ্ট power রয়েছে, Penal Code রয়েছে। এই sectionএ ধরবেন না কেন? Trade Unionএর কেউ কাজ করলে আপনারা সেটাকে বলবেন subversive activities. কুলটীতে আপনারা যেমন করছেন।

তারপরে Preventive Detention Actএ ধরা হয়েছে মানস দেকে, হাওড়া মিউনিসিপ্যালিটী বাংলা গভর্ণমেণ্টের প্রাপ্য ৩ লক্ষ টাকা দিতে চায় না, তার জন্য। তাকে জেলে রাখা হয়েছে। কেন? না,

সে State endanger করছে। তার offence সে workerদের বলেছে আড়াইশো টাকা করে যদি না দেওয়া হয়, তাহ'লে তোমরাও বাড়ী ছেড়ে সরে যেও না। তার জন্য তাকে ধরা হয়েছে এই বে-আইনী আইন দ্বারা। তাঁরা কথায় কথায় আইন করছেন। এই কথা বলে আমি এই বিলকে oppose করছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I do not propose to go into details, because it is easy to make a person understand things if he cannot understand, but it is difficult or impossible to make a person understand things which he won't understand. Therefore, I will not attempt to answer the various things that he has mentioned. I repeat again that this amendment has been suggested by the Central Government to us on account of the provisions of the Delhi Agreement in spite of what Srijut Sibnath Banerjee may have said. And, secondly, I did not say that the alteration of Section 38 was due to Delhi Pact. Sir, I am not a tool as other people might be. I am only making a statement with regard to section 11(*a*)(*b*) which is prompted by the Delhi Agreement, and I repeat that statement.

The question that clause 2 do stand part of the Bill was then put and a division taken with the following result:—

AYES—38.

Bandopadhaya, Sj. Pramatha Nath	Maiti, The Hon'ble Nikunja Behari
Banerjee, Sj. Susil Kumar	Majhi, Sj. Nishapati
Barman, The Hon'ble Syama Prasad	Majumdar, The Hon'ble Bhupati
Bhandari, Sj. Charu Chandra	Mal, Sj. Iswar Chandra
Bhattacharyya, Sj. Shyamapada	Mallick, Sj. Ashutosh
Chaudhuri, The Hon'ble Rai Harendra Nath	Mandal, Sj. Annadaprasad
Clarke, Mr. C. E.	Mandal, Sj. Bankubehari
Das, Sj. Radha Nath	Mandal, Sj. Krishna Prasad
Das Gupta, Sj. Khagendra Nath	Mookerjee, The Hon'ble Kalipada
Dass, Sj. Kanailal	Murarka, Sj. Basantlal
De, Sj. Kanai Lal	Naskar, Sj. Ardhendu Sekhar
Doloi, Sj. Harendra Nath	Naskar, The Hon'ble Hem Chandra
Dutt-Mazumdar, The Hon'ble Niharendu	Panja, The Hon'ble Jadabendra Nath
Ganguli, Sj. Bepin Behari	Pramanik, Sj. Rajani Kanta
Gayen, Sj. Arabinda	Roy, The Hon'ble Dr. Bidhan Chandra
Golam Hamidur Rahman, Janab	Roy, Sj. Jajneswar
Gomes, Mr. D.	Roy Singh Sarker, Sj. Satish Chandra
Haldar, Sj. Kuber Chand	Sen, The Hon'ble Prafulla Chandra
Mahanty, Sj. Charu Chandra	Shamsul Huq, Janab

NOES—2.

Banerjee, Sj. Sibnath	Brahmin, Sj. Ratanlal

The Ayes being 38 and the Noes 2, the motion was agreed to.

Sj. SIBNATH BANERJEE: On a matter of privilege, Sir. One of the members of this Assembly, Sj. Ratanlal Brahmin, wants your protection so that he may attend the Assembly. রতনলাল মহাশয়কে leave দেওয়া হয়েছে কাল পর্য্যন্ত। তার বেশী তিনি কলকাতায় থাকতে পারবেন না। কাল পর্য্যন্ত তিনি Assemblyতে attend করতে পারবেন, তার পরে আর পারবেন না। Chief Minister তাঁকে কি কোন privilege দিতে পারেন যাতে তিনি Assembly attend করতে পারেন?

The Hon'ble Dr. BIDHAN CHANDRA ROY: শিবনাথ বাবু যদি একটু কম oppose করেন তাহলে আমরা আজকেই শেষ করতে পারি।

Sj. SIBNATH BANERJEE: এটা খারাপ বিল তা না হলে আমি oppose করতাম না।

Mr. SPEAKER: This question may be raised tomorrow if you like if the House continues after that. I think the House will conclude its business tomorrow.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Let us, Sir, sit till 7-15 p.m. today and finish the Bills tomorrow.

Clause 3.

Sj. SIBNATH BANERJEE: Sir, I want to speak on clause 3. এতে বলা হয়েছে যে "For sub-section (*1*) the following sub-section shall be substituted, namely:—

"The State Government, if satisfied that the printing, publication, sale or distribution of any matter relating to a particular subject or class of subjects" এই সমস্ত কথা। যে কথা আগেই সাধারণভাবে বলেছিলাম যে কোন সম্বন্ধে লেখা হয় সেটা আগেই "before being published in any document or class of documents be submitted for scrutiny to an authority specified in the order".

এইটা হচ্ছে সব চেয়ে মারাত্মক। এটা হচ্ছে ফাঁসি দিয়ে তারপর বিচার—এর কোন মানে হয় না। অপরাধ না করে আগেই এসে কাঠগড়ায় দাঁড়াতে হবে। Dr. Roy'র সঙ্গে আমার এক জায়গায় মিল আছে। তিনি মনে করেন আমি যা বলি তা ভুল এবং আমি মনে করি তিনি যা বলছেন তা ভুল। সুতরাং আমি realise করছি যে Dr. Royকে বোঝানর ক্ষমতা আমার নাই। তাঁকে শুধু ভেবে দেখতে বলি আমি তাকে বোঝাবার চেষ্টা করবো না।

The Hon'ble Dr. BIDHAN CHANDRA ROY: বুঝিয়ে কোন লাভ নাই।

Sj. SIBNATH BANERJEE: কিন্তু একটা জিনিষ বিবেচনা করা দরকার। বিচার করার পূর্বেই severe deterrent punishment, এটা British Jurisprudence-এর বিরোধী। French Jurisprudenceএ এটা নাই। Punishment দিতে হলে অপরাধ প্রমাণ করতে হবে, তাদের দোষ প্রমাণ করতে হবে। আর এখানে কি হচ্ছে? মন্ত্রিমণ্ডলীতে কম লোকই আছে যাঁরা editorএর সঙ্গে সমকক্ষ হতে পারে। অথচ আজ বিচার করবেন Writers' Buildingএ বসে এমন লোক যিনি jurisprudenceএর কিছুই জানেন না, এটা humiliation for the press or anybody. এই ধরণের দোষে দেওয়া হচ্ছে deterrent punishment এবং সেটা করা হচ্ছে Pactএর নামে। তারপর আর একটা জিনিষ "Any visible representation" কিন্তু সেটা আরো মারাত্মক কথা এবং খুব বিপজ্জনক কথা। Visible representationএর সময় কোথায় জানি না।

The Hon'ble Dr. BIDHAN CHANDRA ROY: তা জানতে পারবেন না। Invisible representation প্রভৃতি হয় না এর মধ্যে?

Sj. SIBNATH BANERJEE: Invisible representationএও আজকে ধরা হয়। Visible representationও ধরছেনই আবার invisible representationএও ধরছেন। তাই আমি আজকে Dr. Royকে বোঝাতে চেষ্টা করলেও বোঝাতে পারবো না।

The Hon'ble Dr. BIDHAN CHANDRA ROY: বোঝাতে পারবেন না।

Janab SYED BADRUDDUJA: Mr. Speaker, Sir, as I am leaving with your permission, I want to add one or two words. My friend Mr. Sibnath Banerjee is evidently under a misapprehension regarding this provision. Section 3, as I have already read out, definitely lays down certain things which he, if he only closely scrutinised, could have seen that very often the press has indulged in certain things which have been prejudicial not only to the interest of the State but to the safety of certain sections of people of the State. I would only refer to one or two instances, if you will allow me, Sir, to show how the press has abused its powers. I would refer not to the contents of the editorials that have been published from time to time during the two or three months when we passed through a serious crisis in the province, but only to the communal titles which will show their sinister implication and dangerous potentialities. I would refer to the editorials of the *Amrita Bazar Patrika* and the *Basumati*, dated 25th February 1950,

immediately after the statement in Parliament of the Hon'ble Prime Minister of India. It refers to "Grim Tragedy" and the *Basumati* says "Not words but deeds". Then again on 26th February, 1950, the *Basumati* goes on "No time to lose". On the same day appears "*Ban* in East Bengal". Then I will give one or two statements of the *Jugantar*. On 5th March, 1950, it says "Civilisation *versus* Barbarism". Then the *Amrita Bazar Patrika* refers to "Iron Curtain" on 6th March, 1950. Then I will give one or two statements. "Genocide in Pakistan" appears in the *Amrita Bazar Patrika* on the 10th March, 1950. Then again on 14th March, 1950, appears "Master Plan" and so on and so forth. "Savagery in Pakistan" appears on the 15th March, 1950. These statements, these editorials, these headlines definitely show how the press was abusing its powers and the Government of Bengal deserve our congratulations for bringing in this Bill. I praise the Government because we are here to support any provision which is salutary, any provision which is conducive to the welfare of the State. We shall not encourage subversive forces from whatever quarter they may come—whether from Muslims or Hindus, whether from Communists or Socialists. We are here to give our wholehearted support to this particular provision in the Security Bill. It is true that certain Magistrates, certain Executive Officers, certain police officers have abused their powers. I am to refer painfully to a fact that in the 24-Parganas, the district authorities have taken it into their head to extern Muslims even of 80 or 85 years of age on some pretext or other. I am not going into the details of these cases. We have had reports that Muslims are being externed on a large scale. I have no confidence either in the executive or in the police authorities, as I have said again and again in this House. What I want to stress is that the provision as it stands is intrinsically justified in the present circumstances. This is quite consistent with the Delhi Pact. Whichever provisions have been laid down in the Delhi Pact must receive the wholehearted support, the wholehearted sympathy, the wholehearted co-operation of all sections of this House.

The question that clause 3 do stand part of the Bill was then put and a division called.

(While the division bell was ringing.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that we sit here till 7-30 until we finish the major part of the work today.

Sj. SIBNATH BANERJEE: I oppose it. Unless previous notice is given, we are not prepared to sit more than three hours. Tomorrow if he wants to sit for the whole night, I have no objection.

The Hon'ble Dr. BIDHAN CHANDRA ROY: We cannot be the victim of minority in this matter.

Mr. SPEAKER: While a division is going on, you cannot make any statement. Let the division be over.

Sj. SIBNATH BANERJEE: But the Chief Minister showed the way of illegality and I am following it.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Poor man, you always imitate!

Sj. SIBNATH BANERJEE: No, improve upon.

The question that clause 3 do stand part of the Bill was then put and a division taken with the following result:—

AYES—38.

Bandopadhaya, Sj. Pramatha Nath	Maiti, The Hon'ble Nikunja Behari
Banerjee, Sj. Susil Kumar	Majhi, Sj. Nishapati
Barman, The Hon'ble Syama Prasad	Majumdar, The Hon'ble Bhupati
Bhandari, Sj. Charu Chandra	Mal, Sj. Iswar Chandra
Bhattacharyya, Sj. Shyamapada	Mallick, Sj. Ashutosh
Chaudhuri, The Hon'ble Rai Harendra Nath	Mandal, Sj. Annadaprasad
Clarke, Mr. C. E.	Mandal, Sj. Bankubehari
Das, Sj. Radha Nath	Mandal, Sj. Krishna Prasad
Das Gupta, Sj. Khagendra Nath	Mookerjee, The Hon'ble Kalipada
Dass, Sj. Kanailal	Murarka, Sj. Basantlal
De, Sj. Kanai Lal	Naskar, Sj. Ardhendu Sekhar
Doloi, Sj. Harendra Nath	Naskar, The Hon'ble Hem Chandra
Dutt-Mazumdar, The Hon'ble Niharendu	Panja, The Hon'ble Jadabendra Nath
Ganguli, Sj. Bepin Behari	Pramanik, Sj. Rajani Kanta
Gayen, Sj. Arabinda	Roy, The Hon'ble Dr. Bidhan Chandra
Golam Hamidur Rahman, Janab	Roy, Sj. Jajneswar
Gomes, Mr. D.	Roy Singh Sarker, Sj. Satish Chandra
Haldar, Sj. Kuber Chand	Sen, The Hon'ble Prafulla Chandra
Mahanty, Sj. Charu Chandra	Shamsul Huq, Janab

NOES—2.

Banerjee, Sj. Sibnath	Brahmin, Sj. Ratanlal

The Ayes being 38 and the Noes 2, the motion was carried

Clause 4.

(Sj Sibnath Banerjee rose to speak.)

Mr. SPEAKER: Mr. Banerjee, do you want to speak on clause 4?

Sj. SIBNATH BANERJEE: Before that যখন division হচ্ছিল, সেই সময় যখন বলেছিলাম, তখন Chief Mmisterএর মতন লোকও বলেছিলেন, তখন আপনি not in order বলেছিলেন; তাহলে সেটা শুধু আমাকে নয়, Chief Mmisterকেও affect করতে পারে। আমার কথা হচ্ছে—বিলটা ভাল করে দুই-একটা জায়গায় oppose করা কম হবে। বক্তৃতার heatটাও একটু কমুক, আমাদেরও একটু time দিন—

Mr. SPEAKER: What is the desire of the House?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, we wish to sit until we finish this Bill and also another Bill, namely, the Red Cross Bill.

Mr. SPEAKER: Is it the desire of the House?

(Cries of "yes" from the Government party benches.)

Sj. SIBNATH BANERJEE: No, Sir, in this matter, it is the prerogative of the Opposition.

(Cries of "There is no opposition" from the Treasury Benches.)

Sj. SIBNATH BANERJEE: Yes, there is Opposition.

Mr. SPEAKER: The House has sat for long hours, and will finish its business by tomorrow. So, we have got to go on with as many Bills as possible.

Sj. SIBNATH BANERJEE: We are prepared to sit the whole night tomorrow.

The Hon'ble Dr. BIDHAN CHANDRA ROY: You may be prepared, but I am not.

Mr. SPEAKER: Mr. Banerjee, you can speak on clause 4.

Sj. SIBNATH BANERJEE: What is the decision, Sir?

Mr. SPEAKER: The House will continue to sit.

Sj. SIBNATH BANERJEE: Clause 4 হচ্ছে ২১ ধারার original যদি State Government dissatisfied হন কোন particular personএর সম্বন্ধে তাহলে তার উপর নির্দ্দেশ দেওয়া হবে যে "directing that, except in so far as he may be permitted by the provisions of the order, or by such authority or person as may be specified therein, he should not be in any area or place in West Bengal as may be specified in the order." এইটাও আছে তাকে কোন্ জায়গায় অন্তরীণ করে রাখা যাবে, না বার করে রাখা যাবে। "if he is not already there to proceed to that place or area within such time as may be specified in the order" তাকে যদি বলা হয়—চলে যাও দার্জ্জিলিং বা যেখানে খুসী অন্য একটা নাম যদি বলা হয়, আর সেখানে থাকবার জায়গা থাক বা না থাক তাকে order মাফিক যেতেই হবে। "requiring him to notify his movements or to report himself or both to notify his movements and report himself in such manner, at such times to such authority or person as may be specified in the order." এটা অত্যন্ত ব্যাপক। তাকে যখন বলা হবে থানায় যাবার একটা order রয়েছে—"Imposing upon him such restrictions as may be specified in the order in respect of his employment, business or movements, in respect of his association or communication with other persons, and in respect of his activities in relation to the dissemination of news or propagation of opinions."

The Hon'ble Dr. BIDHAN CHANDRA ROY: On a point of order, Sir. He is reading the original Act. That is not before us. This is an amendment and an addition after section 21 of the said Act which is before us, and not the original Act.

Sj. SIBNATH BANERJEE: On a point of order. আমি বলতে চাই স্যার মাননীয় প্রধান মন্ত্রীমহাশয় এসব ভাল বুঝেন। আমি বলেছি এই sectionটা হচ্ছে—

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not want to understand from you. I am appealing to the Speaker.

Sj. SIBNATH BANERJEE: Dr. Bidhan Chandra Roy যখন বুঝতে না পারা সত্ত্বেও আপত্তিটা তুলছেন এবং অত্যন্ত অর্ব্বাচীনের মতই বলেছেন সেইটে rule out করবেন কিনা।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I do say that section 21 is not before us. It is an addition after section 21, namely, section 21A which does not refer to the subject-matter of section 21 but only refers to the question of taking finger-prints. He can certainly go on discussing section 21 the whole night, but I do submit to you, Sir, that this is not relevant to the matter that is before the House.

Mr. SPEAKER: We have got to be relevant to the subject-matter in our discussion. You should confine yourself, Mr. Banerjee, to section 21A which is being added after section 21. That is not an amendment of section 21. Therefore please confine your remarks to section 21A.

Sj. SIBNATH BANERJEE: I could not understand you, Sir, but I have a right to make my submission. I am not opposing your ruling. I can show and very legitimately show that the provision added now is already covered by section 21 and that it is quite relevant.

Mr. SPEAKER: If you can make section 21 relevant to section 21A, you can refer to that section, but you must be relevant to this section, and in discussing the relevancy you can refer to any other section.

Sj. SIBNATH BANERJEE: That is exactly what I am doing. The provision about going to *thana* is already there, and I can certainly refer to section 21 or any other section in which these sections appear directly.

The Hon'ble Dr. BIDHAN CHANDRA ROY: On a point of order, Sir. Section 21A does not refer to a person going to the *thana*. It only refers to permit himself to be photographed, to allow his finger and thumb impressions to be taken, to furnish specimens of his handwriting and signature and attend at such times and places as may be necessary for all or any of the foregoing purposes. That is to say, permit himself to be photographed, allow his finger and thumb impressions to be taken and so on. It has nothing to do with the rest of the section.

Mr. SPEAKER: Mr. Banerjee, will you please resume your speech and show how far your speech is relevant to the subject-matter in issue.

The Hon'ble Dr. BIDHAN CHANDRA ROY: অর্ববাচীন কে?

Sj. SIBNATH BANERJEE: অর্ববাচীন কে তাই প্রমাণ দেওয়া হচ্ছে। So, I was relevant.

Mr. SPEAKER: Yes.

Sj. SIBNATH BANERJEE: I am in order. অর্ববাচীন কে, আমি এই ২১এর কয়েকটি section থেকে দেখছি clause 4, যাকে 21এ বলা হয়েছে, তার মধ্যে ও এটার মধ্যে যে difference আছে—যেখানে কোন জায়গায় পাঠান যেতে পারে, আমরা পুলিশ কমিশনারের কাছে বা থানায় এমনকি Chief Ministerএর বাড়ীতেও যেতে বাজী নই। তাঁদের signature নেবার দরকার হ'লে, তাঁরা আমাদের বাড়ীতে আসবেন। আমরা কোথাও যেতে বাজী নই। এই section(1)এর further আর দরকার নাই।

তারপর section 2তে যেটা বলেছেন এই—যদি কেউ photograph দিতে বাজী না থাকে finger ও thumb impression দিতে বাজী না থাকে, তবে তাদের punishment may extend to three years or with fine or both. এই fineটা যে কত তা বলা হয় নাই। সেটা এখানে দেখা যাচ্ছে না, অন্য কোন জায়গায় হয়ত আছে। এই punishment অত্যন্ত বেশী এবং এই যে এটা করা হচ্ছে এটা অপ্রয়োজনীয়। এর জন্য যে প্রয়োজন কেন তাঁরা এখানে তা দেখান নাই। এই photograph ও finger print না নিয়েও British Government যারা আমাদের ভাল করে চিনতো না, ভাষা জানতো না, আমাদের দেশে দীর্ঘ দিন শাসন চালিয়ে গেছে।

(A VOICE: নিয়েছে, নিয়েছে। তা বললে হবে কেন?)

The Hon'ble BHUPATI MAJUMDAR: নিয়েই চালিয়েছে। চব্বিশ বৎসর জেলে কেটেছে আমরা ভাল করেই জানি।

Sj. SIBNATH BANERJEE: হাঁ, বক্সা জেলে নিয়েছে। কিন্তু Regulation IIIতে নেয়নি।

(A VOICE: হাঁ, Regulation IIIতেও নিয়েছে।)

Mr. SPEAKER: Order, order, please. আর কিছু বলবার আছে?

Sj. SIBNATH BANERJEE: আপনি যদি বিরক্ত হন, তাহ'লে বসে যাই।

The question that clause 4 do stand part of the Bill was then put and a division taken with the following result:—

AYES—37.

Bandopadhaya, Sj. Pramatha Nath	Majhi, Sj. Nishapati
Banerjee, Sj. Susil Kumar	Majumdar, The Hon'ble Bhupati
Barman, The Hon'ble Syama Prasad	Mal, Sj. Iswar Chandra
Bhandari, Sj. Charu Chandra	Mallick, Sj. Ashutosh
Bhattacharyya, Sj. Shyamapada	Mandal, Sj. Annadaprasad
Clarke, Mr. C. E.	Mandal, Sj. Bankubehari
Das, Sj. Radha Nath	Mandal, Sj. Krishna Prasad
Das Gupta, Sj. Khagendra Nath	Mookerjee, The Hon'ble Kalipada
Dass, Sj. Kanailal	Murarka, Sj. Basantlal
De, Sj. Kanai Lal	Naskar, Sj. Ardhendu Sekhar
Dolui, Sj. Harendra Nath	Naskar, The Hon'ble Hem Chandra
Dutt-Mazumdar, The Hon'ble Niharendu	Panja, The Hon'ble Jadabendra Nath
Ganguli, Sj. Bepin Behari	Pramanik, Sj. Rajani Kanta
Gayen, Sj. Arabinda	Roy, The Hon'ble Dr. Bidhan Chandra
Golam Hamidur Rahman, Janab	Roy, Sj. Jajneswar
Gomes, Mr. D.	Roy Singh Sarker, Sj. Satish Chandra
Haidar, Sj. Kuber Chand	Sen, The Hon'ble Prafulla Chandra
Mahanty, Sj. Charu Chandra	Shamsul Huq, Janab
Maiti, The Hon'ble Nikunja Behari	

NOES—2.

Banerjee, Sj. Sibnath	Brahmin, Sj. Ratanlal

The Ayes being 37 and the Noes 2, the motion was carried.

Clause 5.

Sj. SIBNATH BANERJEE: আগে যেটা section 38 ছিল তা এরা substitute করছেন। কাজে এই দুটোর কোন সম্বন্ধ খুঁজে পাওয়া যাচ্ছে না। আগের 38 sectionএর clause 2 and 3 খুব objectionable ছিল, সেই দুটো clause এই section 5 এর মধ্যে দেখা যাচ্ছে না। ২৫শে ফেব্রুয়ারী যেটা পাস করেছিলেন তার মধ্যেও যথেষ্ট doubt ছিল। "For the avoidance of doubt it is hereby declared that the power to take steps under sub-section (*1*) or under sub-section (*2*) includes the power to enter upon any land or other property, whatsoever".

এটা অত্যন্ত objectionable ছিল। যখন খুসী যার তার বাড়ীতে ইচ্ছামত ঢুকে পড়বেন। এই 38 sectionএ যা আছে তার implication এখানে থাকলেও directly নাই। তখন doubt clear করে বলা হয়েছিল।

Section 2তে যেটা ছিল objectionable সেটা

"Where in respect of any of the provisions of this Act there is no authority, officer or person empowered to take action under sub-section (*1*), the State Government may take, or cause to be taken, such steps as may in the opinion of the State Government be reasonably necessary for securing compliance with, or preventing or rectifying any breach of, such provision."

এই জিনিষটা এর মধ্যে নাই। এটা কি গভর্ণমেণ্টের একটু সুবুদ্ধি হয়েছে যে ঐ দুটো section বাদ দেওয়া হয়েছে? ওটা বলা দরকার হয় না। The country is also expected to know everything.

তাঁরা কোন section কেন বদলাচ্ছেন, তা বলার তাঁরা কোন প্রয়োজন মনে করেন না। যদি ঐ দুটো section তাঁরা বাদ দিয়ে থাকেন, তাহলে এই sectionএ আমার কোন আপত্তি নাই।

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

Sj. SIBNATH BANERJEE: এই sectionটা ঐ prejudicial reportএর পরে সব চেয়ে বেশী objectionable যেখানে power দিয়ে দেওয়া হচ্ছে

"Notwithstanding any law to the contrary, any order made or deemed or purported to have been made, or any notification issued or deemed or purported to have been issued, or any direction given or deemed or purported to have been given, under any provision of the said Act, by—

(*i*) the Commissioner of Police, Calcutta, or

(*ii*) the First Land Acquisition Collector, Calcutta, or

(*iii*) the Second Land Acquisition Collector, Calcutta".

যাদের আগে power দেওয়া হয়েছিল, তাদের সকলের নামই এখানে রয়েছে। এইরকমভাবে বেড়াজালে আটকানোর চেষ্টা, এটাকে কোন আইন বলা চলে না। তাঁরা যদি বলতেন Land Acquisition Collector, District Magistrate, Additional District Magistrate, etc., পরিষ্কার করে লিখিত order দেন, সেটা তাঁরা করেন নাই। ওরা পরিষ্কার লিখিত order দেবেন না। "Deemed or purported to have been made" তাহলেই যথেষ্ট। ইংরেজী language অত্যন্ত flexible, তাতে কিছুই বাদ যায় না। কাজেই যদি তাঁদের মনস্তত্ত্ব বুঝে আমরা চলতে না পারি, তাহলেই ধরে নিয়ে যাবেন। কাজেই এই sectionএ অত্যন্ত জঘন্য, অত্যন্ত মারাত্মক বর্বরতার চূড়ান্ত নিদর্শন দেখান হয়েছে। এজন্য এটাকে আমি oppose করছি।

The question that clause 6 do stand part of the Bill was then put and agreed to.

Preamble.

Mr. SPEAKER: The question before the House is that the Preamble do stand part of the Bill. As many as are of that opinion will say "Aye", those who are of the contrary opinion will say "No".

(After a pause.)

The "Ayes" have it.

Sj. SIBNATH BANERJEE: Sir, I wish to speak.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order. After the Speaker starts taking the decision of the House, that decision has to be taken and it cannot be interrupted. If any honourable member wishes to speak he must get up and do so before the Speaker calls for a decision. That has always been the tradition of the House and I submit, Sir, that since you were on your legs and were taking the decision, after that no request for speaking may be admitted.

Sj. SIBNATH BANERJEE: Should the Hon'ble the Judicial Minister try to teach the Speaker the rule? He is trying to teach you, Sir.

Mr. SPEAKER: I do not think I should prevent the honourable member from speaking. Mr. Banerjee, you finish it quickly in one or two minutes.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: May we take it that when you get up to take a decision you do so after you have ascertained that there is no member to speak?

Mr. SPEAKER: I do not give any ruling. If you want a ruling on that——.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: If you make a concession that is all right.

Mr. SPEAKER: If you want my ruling I shall have to consult what the legal position is.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: I had already said "Yes" when you said that the Preamble of the Bill do stand part of the Bill.

Mr. SPEAKER: If the Hon'ble Minister wants my ruling as a matter of right—of course he is entitled to it—I shall have to look into the fact as to whether if I have not said "Ayes" twice in a clause like this and if a member wants to speak, I can allow him.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: I want your ruling on this point in due course.

Mr. SPEAKER: Do you want it today?

The Hon'ble NIHARENDU DUTT-MAZUMDAR: No, in due course, at your convenience.

Mr. SPEAKER: Then please raise this question tomorrow. In the meantime, Mr. Banerjee, you go on.

Sj. SIBNATH BANERJEE: The Opposition is very grateful to the Chair for overruling the frivolous point of order.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: He has not overruled.

Mr. SPEAKER: My ruling has not been given.

Sj. SIBNATH BANERJEE: My point has been achieved. এই Preambleএ যা বলা হয়েছে, সে সম্বন্ধে আমি আমার বক্তৃতায় কিছু বলেছি, আর কিছু বাকি আছে তা বলবো। "Prejudicial report সম্বন্ধে এই Billএ আগে যে definition ছিলো, সেই definitionটা amend করছেন কেন। এতে যা আছে তার সঙ্গে সঙ্গে বলেছেন

"The objects of this Bill are to amend the definition of the expression 'prejudicial report' and the provisions relating to pre-censorship, prohibition or regulation of the use of the press so as to bring them in line with the provisions of the Constitution of India safeguarding the fundamental right to freedom of speech and expression."

Mr. SPEAKER: There is no such thing in the Preamble. There is no fundamental right in the Preamble.

Sj. SIBNATH BANERJEE: এই কথাগুলি আমি আগেই বলেছি মোটেই সত্য নয়। এটায় ত safeguard করা হচ্ছে না বরং সেটা strangulate করা হচ্ছে।

Mr. SPEAKER: There is nothing regarding strangulating the fundamental rights. (A VOICE:—amendment আনছেন না কেন?)

Sj. SIBNATH BANERJEE: Amendment আনবার time পাচ্ছি কোথায়? তারপর section 38এর মধ্যে আছে "delegation of powers and duties to subordinate officers of the State".

Mr. SPEAKER: Well, Mr. Banerjee, you should confine your remarks to the Preamble. Where is section 38?

Sj. SIBNATH BANERJEE: It is there.

Mr. SPEAKER: This is a motion on the Preamble, and not third reading.

The Hon'ble Dr. BIDHAN CHANDRA ROY: He is talking from the Statement of Objects and Reasons.

Mr. SPEAKER: You should confine your remarks to the Preamble and not read from the Objects and Reasons. So far as the Preamble is concerned it consists of only three lines—"Whereas it is expedient to amend the West Bengal Security Act, 1950, for the purposes and in the manner hereinafter appearing": Have you to say something on this?

The Hon'ble Dr. BIDHAN CHANDRA ROY: He does not understand the meaning of the word "Preamble".

Sj. SIBNATH BANERJEE: এই যে Preambleএ আছে——

Mr. SPEAKER: No, no, Mr. Banerjee, I cannot permit that. It has got nothing to do with the Preamble.

Sj. SIBNATH BANERJEE: আপনার মনে যখন doubt হচ্ছে তখন আমি আর বলবো না third readingএর সময় বলবো।

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I beg to move that the West Bengal Security (Amendment) Bill, 1950, as settled in the Assembly be passed.

Sj. SIBNATH BANERJEE: এই বিল পাস করছেন। Third reading হচ্ছে এর পর ভোট হলেই Act হয়ে যাবে, Governorএর sanction পেলে। এর ভিতরে অনেক কিছু flaw রয়ে গিয়েছে। আমার আজ বলতে হচ্ছে যে Government আজ নির্লজ্জভাবে এই বিল পাস করতে পারবেন কারণ তাদের এখানে ভোটের সংখ্যা বেশী আছে। সেটা আমি আগেই বলেছি। বৃটিশ আমলেও দেখেছি, লীগ আমলেও দেখেছি। বৃটিশ আমলে এবং লীগ আমলে যে সমস্ত আইন পাস হয়েছে সেই আইন কংগ্রেসের উপর এবং আমাদের উপর প্রয়োগ করেছিল। আজ কংগ্রেস গদিতে বসে হাসতে হাসতে যে আইন পাস করছেন কে জানে কালকে সে আইন আপনাদের উপর প্রয়োগ করা হবে না। তাই আমি আপনাদের সতর্ক করে দিচ্ছি। এখানে কয়েকজন মিলে আপনারা মনে করছেন যে দেশবাসী আপনাদের ধন্য ধন্য করবে। তা নয়। দেশবাসীর কাছে শীঘ্রই আপনাদের যেতে হবে। এই রকম আইন, এই রকম বিল আপনারা কেন করেছিলেন তার কৈফিয়ৎ দিতে হবে জনসাধারণের কাছে। সেদিন এগিয়ে আসছে। আমি আর বক্তৃতা দিয়ে সময় নষ্ট করবো না। আজ সতর্ক করে দিই যে কাজ করছেন জনমতের কাছে তার কৈফিয়ৎ দিতে হবে। এখন এখানে দিতে হবে না কারণ ভোটের জোর আপনাদের বেশী আছে। সেইজন্য আপনাদের কাছে appeal করছি—Leader of the Houseএর কাছে করছি না কারণ তিনি বুঝতে চাইবেন না। Chief Minister হয়ে একটা responsible জায়গায় বসে যে কাজ করছেন তাতে তিনি নিজেকে কলঙ্কিত করছেন, দেশবাসীকে কলঙ্কিত করছেন। Session এর পর Sessionএ বার বার তারা lawless law নিয়ে আসছেন এবং ভোটের জোরে পাস করছেন, এইটা নিন্দা করবার ভাষা পাচ্ছি না। আমি এটা oppose করছি।

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Security (Amendment) Bill, 1950, as settled in the Assembly, be passed was then put and a division taken with the following result:—

AYES—37.

Bandopadhaya, Sj. Pramatha Nath	**Dolui, Sj. Harendra Nath**
Banerjee, Sj. Susil Kumar	**Dutt-Mazumdar, The Hon'ble Niharendu**
Barman, The Hon'ble Syama Prasad	**Ganguli, Sj. Bepin Behari**
Bhandari, Sj. Charu Chandra	**Gayen, Sj. Arabinda**
Bhattacharyya, Sj. Shyamapada	**Golam Hamidur Rahman, Janab**
Clarke, Mr. C. E.	**Gomes, Mr. D.**
Das, Sj. Radha Nath	**Haldar, Sj. Kuber Chand**
Das Gupta, Sj. Khagendra Nath	**Mahanty, Sj. Charu Chandra**
Dass, Sj. Kanailal	**Maiti, The Hon'ble Nikunja Behari**
De, Sj. Kanai Lal	**Majhi, Sj. Nishapati**

Majumdar, The Hon'ble Bhupati	Naskar, The Hon'ble Hem Chandra
Mal, Sj. Iswar Chandra	Panja, The Hon'ble Jadabendra Nath
Mallick, Sj. Ashutosh	Pramanik, Sj. Rajani Kanta
Mandal, Sj. Annadaprasad	Roy, The Hon'ble Dr. Bidhan Chandra
Mandal, Sj. Bankubehari	Roy, Sj. Jajneswar
Mandal, Sj. Krishna Prasad	Roy Singh Sarker, Sj. Satish Chandra
Mookerjee, The Hon'ble Kalipada	Sen, The Hon'ble Prafulla Chandra
Murarka, Sj. Basantlal	Shamsul Huq, Janab
Naskar, Sj. Ardhendu Sekhar	

NOES—2.

Banerjee, Sj. Sibnath	Brahmin, Sj. Ratanlal

The Ayes being 37 and the Noes 2 the motion was carried.

The Indian Red Cross Society (Bengal Branch) (Amendment) Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the Indian Red Cross Society (Bengal Branch) (Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Indian Red Cross Society (Bengal Branch) (Amendment) Bill, 1950, be taken into consideration.

Sir, according to the provisions of the old rules made by the Managing Body of the Indian Red Cross Society, Bengal Branch, the Managing Body of the Society used to be constituted annually at the annual general meeting of the Society and consisted of a Chairman and an Honorary Treasurer nominated by His Excellency the Governor who was the President of the Society. Five members were elected by the members of the Society at the said meeting and five members nominated by the outgoing Managing Committee. The Managing Committee which was constituted at the annual general meeting of the 19th December, 1949, functioned till February, 1950, when the Chairman, the Honorary Treasurer and five members nominated by the previous Managing Body tendered resignation of their offices. Their resignation reduced the number of members on the Managing Body to five only in place of 12 which fell short of the minimum number of six members prescribed in section 4 of the Indian Red Cross Society, Bengal Branch, Act XX——.

There was, however, no provision either in the Act or under the rules to fill casual vacancies in the offices of the Chairman, the Honorary Treasurer and nominated members. The result was that there was a deadlock in the Managing Body which could not function to carry out the purposes of the Act. It was most unfortunate that the deadlock occurred particularly at the time when the services of the Red Cross Society were urgently needed for humanitarian work in connection with the relief of the vast number of East Bengal refugees who had been pouring into West Bengal. Government were advised that it was not possible to remove the deadlock unless the Managing Body was reconstituted after suitable amendments in the existing rules. Government had reason to believe that the deadlock was created as a result of friction amongst the members of the Managing Body and there was no chance of improving the position unless the Managing Body was made more representative in character. After a very careful consideration Government came to the conclusion that provisions in the existing rules for the nomination of five members on the Managing Body by the outgoing Managing Body should be withdrawn as there was no valid reason for conferring such power. Government also thought it necessary that various elements in the civic life of Calcutta and West Bengal should be included

in the Managing Body so as to make the Body really representative in character. They accordingly decided that the Managing Body should consist of the following:—(1) the Vice-Chancellor of the Calcutta University or a person nominated by him; (2) the Administrative Officer or the Mayor of the Calcutta Corporation or a person nominated by him; (3) the Director of Health Services, West Bengal; (4) a representative of the State Government appointed by the State Government; (5) the President of the Bengal Chamber of Commerce; (6) the President of the Bengal National Chamber of Commerce; (7) the President of the Indian Chamber of Commerce; (8) the President of the Bharat Chamber of Commerce; (9) three members of the society elected at a general meeting of the society; and (10) two members of the society appointed by the President as the Chairman of the Managing Body and the Treasurer of the Society. It is also thought necessary to provide that no member of the Society shall be qualified for voting at the annual meeting for the election of members on the Managing Body unless he has continuously been a member of the Society for at least six months before the date of the meeting and unless his subscription was fully paid. It was found out that just before the annual meeting sometimes persons were invited and made members in order that they could vote at the annual meeting for election to the Managing Body. In order to avoid that in future it was proposed that a person should be a member of the Society for a sufficiently long period—six months—and he must have fully paid his subscription before he is allowed to vote at the meeting. It was necessary to implement this decision by a legislative measure and as the Legislative Assembly was not in session at the time an Ordinance was promulgated copies of which were circulated to members, and it was therefore proposed now to enact the provisions of the Ordinance by means of a Bill introduced by me today before the Assembly.

With regard to the provisions of the Act itself it is a very simple one. The main proposition is that there should be some arrangement by which the vacancy occurring in the Managing Body can be filled. There should be some arrangement by which the Governor, the President of the Society, should appoint the Chairman and the Treasurer of the Society and there should be on the Managing Body representatives of public opinion.

With these words, Sir, I move for consideration of the Bill by the House.

SJ. SIBNATH BANERJEE: এই যে Red-cross Society বিলটা এনেছেন তার মধ্যে একটা জিনিষ ভাল আছে, যারা fully pay করেছেন membership subscription ছ'মাসের জন্য, তারাই শুধু ভোট দেবেন। এই যে নিয়ম এটা যদি ছ'মাসের জায়গায় এক বছর করতেন তাহলে ভাল হতো। এগার জনের মধ্যে মাত্র তিনজন elected member আর nominated হলেন ৮ জন। পাঁচ জনের জায়গায় তিনজন কেন করলেন বুঝতে পাচ্ছি না। যদি ৫ জনের জায়গায় ৮ জন করতেন তাহলে বুঝতাম কিছু advance করেছেন। আগে রাজা মহারাজাদের করা হতো কেননা তারা ইংরেজের পদলেহন করতো। এখনও বড়লোকেরাই হচ্ছেন, এরা কেন এরকম করছেন বুঝতে পারছি না। এটা একটা Health Serviceএর scheme. সুতরাং এই Red-Cross সম্বন্ধে প্রধান মন্ত্রী নিজেই ভাল বুঝেন; তিনিই এর সব কিছু করতে পারেন। এ জায়গায় অন্য সবাইকে আনবার কি কারণ আছে? Vice-Chairman, Administrative Officer, President, National Chamber of Commerce, Bengal Chamber of Commerce, Bharat Chamber of Commerce, প্রভৃতি তারা টাকা দেয় কিনা জানি না, তাদেরও যে টাকা দিতে হবে এর কোন কথা নাই। এটা আমি গান্ধী memorial fundএর ব্যাপারেও দেখেছি। মাত্র তিন জন elected ১১ জন মেম্বরের মধ্যে। Indian National Trade Union Congress একটা representative body তাদের কাউকে কেন এতে দেখি না। হিন্দু-মজদুর সভা একটা representative body তাদেরও কেন এতে দেখি না। যারা

ঐকাজ করছে তাদের অভিজ্ঞতালব্ধ ফল না লাগিয়ে কেন Chamber of Commerceগুলিকে এর মধ্যে আনা হল। এইসব retrogressive steps তারা যেন অক্টোপাসের মতন চারদিক থেকে দেশের সব কিছু ধরে আছে, এটাও তাই হবে। কেবল নিজেদের powerএর মধ্যে সব কিছু আনা ছাড়া, এটার ভিতর আর কিছুই দেখছি না।

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Indian Red Cross Society (Bengal Branch) (Amendment) Bill, 1950, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Indian Red Cross Society (Bengal Branch) (Amendment) Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

Adjournment.

The House was then adjourned at 7-57 p.m. till 3 p.m. on Friday, the 6th October, 1950, at the Assembly House, Calcutta.

Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 6th October, 1950, at 3 p.m.

Present:

Mr. Speaker (the Hon'ble ISWAR DAS JALAN) in the Chair, 11 Hon'ble Ministers and 50 Members.

STARRED QUESTIONS

(to which oral answers were given)

Political pension granted to political sufferers of Bankura district.

***28. Sj. KANAI LAL DE:** Will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(ক) বাঁকুড়া জেলায় এপর্য্যন্ত কতজনকে political pension দেওয়া হয়েছে ;

(খ) পেন্‌সনপ্রাপ্ত ব্যক্তিগণের নাম, ঠিকানা ও পেন্‌সনের পরিমাণ কত তাহা জানাইবেন কি ; এবং

(গ) কোন্ কোন্ প্রতিষ্ঠানকে ক্ষতিপূরণ স্বরূপ কত টাকা দেওয়া হয়েছে ?

The Hon'ble Dr. BIDHAN CHANDRA ROY (on behalf of the Hon'ble Nalini Ranjan Sarker): (ক) Financial assistance in the shape of monthly allowance or lump grant has been granted to 24 political sufferers belonging to the district of Bankura, till 14th September, 1950.

(খ) এবং (গ) A list is laid on the Library Table.

বাঁকুড়া জেলার ২৪ জন political sufferersদের এককালীন অথবা মাসিক ভাতা দেওয়া হয়েছে।
(খ) এবং (গ) সম্বন্ধে বিবরণের একটা তালিকা এখানে লাইব্রেরীতে দেওয়া হয়েছে।

Memorandum to the Hon'ble Prime Minister of India by the Joint Secretary, Sundarban Praja Mangal Samity.

***32. Sj. SIBNATH BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Land and Land Revenue Department be pleased to state whether he is aware—

(*i*) if the Sundarban Praja Mangal Samity has been trying to develop the land system in the Sundarban Areas; and

(*ii*) that a Memorandum was placed before the Hon'ble Prime Minister of India by Sri Brahmachari Bholanath, Joint Secretary of Sundarban Praja Mangal Samity, in December, 1948, copy of which was sent to the Government of West Bengal?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the steps, if any, that have been taken by the Government to acquire all lands under temporary settlement by a special Ordinance;

(*ii*) whether the proposed Sundarban Development Board has been formed; if so, with what personnel; and

(*iii*) whether the Government consider the desirability of forming a separate district named Sundarbans?

MINISTER-in-charge of the LAND AND LAND REVENUE DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (*a*) (*i*) No.

(*a*) (*ii*) and (*b*) Answers to these questions have already been given in reply to question No. 23 (Starred) asked by Sj. Bepin Behari Ganguli in this session.

Sj. SIBNATH BANERJEE: এই যে উত্তর দিচ্ছেন, কোন memorandum পাননি, এই উত্তরটা কবে পাঠিয়ে দিয়েছিলেন? কারণ আমি জানি, প্রায় ১৫ দিন আগে, এই question পাঠাবার সঙ্গে সঙ্গে আর একটা memorandum পাঠান হয়েছে।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: We have not received any memorandum.

Sj. SIBNATH BANERJEE: আমার প্রশ্নটা হচ্ছে, এই question পাঠাবার সঙ্গে সঙ্গে একটা memorandum Assemblyতেও পাঠান হয়েছিল, আর একটা to the Minister.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: All that I can say is that no memorandum has been received by my Department.

Sj. SIBNATH BANERJEE: সুন্দরবনের Development Board সম্বন্ধে তিনি বলেছেন "No"; আমি জানতে পারি কি, কেন Development Board form করা হয়নি?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Enquiries are still proceeding.

Sj. SIBNATH BANERJEE: এর আগে যে report হয়েছিল, সেটা কি মাননীয় মন্ত্রী মহাশয়ের হস্তগত হয়েছিল? হয়ে থাকলে, মাননীয় মন্ত্রীমহাশয় তা পড়ে দেখেছেন কি?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I referred to certain contents of that report before; yet further enquiry is necessary.

Sj. SIBNATH BANERJEE: সুন্দরবনকে আলাদা district করবার জন্য কি recommendation সেই reportএ ছিল না?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I do not remember exactly.

Sj. SIBNATH BANERJEE: That means you want notice.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I do not remember.

Sj. SIBNATH BANERJEE: সুন্দরবন এলাকার যা importance south-east frontier হিসাবে এবং ২৪-পরগণার প্রান্ত হিসাবে, তাতে এটাকে একটা স্বতন্ত্র district করবার desirability সম্বন্ধে মাননীয় মন্ত্রীমহাশয় বিবেচনা করবেন কি?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: That is not a question for me to answer. That should be addressed to the Home Department.

Memorandum to the Hon'ble Prime Minister of India by the Joint Secretary, Sundarban Praja Mangal Samity.

***33. Janab SYED BADRUDDUJA:** (*a*) Will the Hon'ble Minister in charge of the Land and Land Revenue Department be pleased to state whether he is aware—

(*i*) if the Sundarban Praja Mangal Samity has been trying to develop the land system in the Sundarban Areas; and

(*ii*) that a Memorandum was placed before the Hon'ble Prime Minister of India by Sri Brahmachari Bholanath, Joint Secretary of Sundarban Praja Mangal Samity, in December, 1948, copy of which was sent to the Government of West Bengal?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the steps, if any, that have been taken by the Government to acquire all lands under temporary settlement by a special Ordinance;

(*ii*) whether the proposed Sundarban Development Board has been formed; if so, with what personnel; and

(*iii*) whether the Government consider the desirability of forming a separate district named Sundarbans?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: *Vide* reply to starred question No. 32.

Diversion of lands from paddy to jute.

***34. Maharaja SRIS CHANDRA NANDY, of Cossimbazar:** (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state—

(*i*) what was the total acreage of jute grown in the State last year, i.e., in 1949;

(*ii*) what is the acreage of jute grown this year;

(*iii*) what is the acreage of paddy-growing area converted this year to jute-growing area—

(1) in the whole State, and

(2) in the district of Murshidabad;

(*iv*) what is the estimated loss of rice in the State this year as a result of the conversion of the paddy-growing land to jute field; and

(*v*) whether the State has got any assurance from the Union Government that the loss due to production of jute on paddy lands will be recompensated by the Union Government by supply of equivalent quantity of rice?

(*b*) If the answer to (*a*)(*v*) is in the affirmative, will the Hon'ble Minister be pleased to state what is the quantity of rice which the State Government has so far received from the Union Government as compensation?

MINISTER-in-charge of the AGRICULTURE DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (*a*) (*i*) Four lakhs ninety-seven thousand nine hundred and seventy-three acres.

(*ii*) The final result of acreage survey of jute is not yet available.

(*iii*) According to departmental estimates, just to hand, about 1½ lakh acres in the whole State and about 40,000 acres in Murshidabad district are believed to have been diverted from paddy to jute.

(*iv*) On the basis of the figure of 1½ lakh acres of land diverted from paddy to jute given above, it is estimated that the loss would be between 55,000 and 60,000 tons of rice.

(*v*) The Union Government did give an assurance as stated.

(*b*) Two thousand tons.

Sj. BIMAL COMAR GHOSE: With reference to answer (*a*)(*iii*) will the Hon'ble Minister be pleased to state what increase in the production of jute is expected as a result of such diversion?

The Hon'ble PRAFULLA CHANDRA SEN: It will be about seven and a half lakh bales.

Sj. BIMAL COMAR GHOSE: With reference to answer (*a*)(*i*) will the Hon'ble Minister be pleased to state if he has got the figures of the production of jute on the acreage stated?

The Hon'ble PRAFULLA CHANDRA SEN: It will be about 25 lakh bales.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if he has any figures of the estimated production this year, namely, 1950-51?

The Hon'ble PRAFULLA CHANDRA SEN: No; it is too early to say.

Sj. BIMAL COMAR GHOSE: With reference to answer (*v*) will the Hon'ble Minister be pleased to state the quantity, if any, for which any assurance might have been given by the Union Government?

The Hon'ble PRAFULLA CHANDRA SEN: All losses that the State may sustain will be compensated by the Union Government.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if an estimate of the loss that is likely to be sustained was made when the diversion was effected?

The Hon'ble PRAFULLA CHANDRA SEN: As I have stated in the reply, it is to the extent of 55,000 to 60,000 tons of rice.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if it would be correct to say that the Union Government has given an assurance for about 55,000 to 60,000 tons of rice?

The Hon'ble PRAFULLA CHANDRA SEN: I have already said that.

Sj. SIBNATH BANERJEE: মাননীয় মন্ত্রীমহাশয় বলবেন কি যে, যে সংখ্যাগুলি আমাদের সামনে উপস্থিত করেছেন, সেগুলি কি দশ টাকা মাইনের চৌকিদার যেমন দিয়েছে, তেমনিভাবে আমাদের সামনে হাজির করা হয়েছে?

Mr. SPEAKER: That is not a proper question.

Sj. SIBNATH BANERJEE: কিভাবে enquiry করেছেন সেটা জানবার আমাদের একটা inquisitiveness থাকতে পারে। যে figure—

Mr. SPEAKER: That question does not arise.

Sj. SIBNATH BANERJEE: কতগুলি হতে পারে?

The Hon'ble PRAFULLA CHANDRA SEN: আপনি মনে মনে কষে দেখুন।

Sj. SIBNATH BANERJEE: আপনারাই কমুন।

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if the Union Government has given any assurance to compensate this Government with rice only to the extent of 55,000 to 60,000 tons?

The Hon'ble PRAFULLA CHANDRA SEN: I have already replied to that.

Sj. BIMAL COMAR GHOSE: Sir, just now the Hon'ble Minister has replied that only 2,000 tons of rice was received. Now, will the Hon'ble Minister be pleased to state what measures this Government has taken in view of the fact that the Government of India is not fulfilling its promise?

The Hon'ble PRAFULLA CHANDRA SEN: It is up to the Government of India to fulfil their promise.

Sj. BIMAL COMAR GHOSE: Does the Hon'ble Minister think that he has no other recourse left to him but to write to the Government of India to get rice from them?

The Hon'ble PRAFULLA CHANDRA SEN: I have already said that we have received 2,000 tons of rice from them.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if he is satisfied with the 2,000 tons of rice received from the Government of India and does not consider it necessary to take further steps to get the balance?

(No reply.)

Sj. BIMAL COMAR GHOSE: Sir, no answer has been given to my question.

Mr. SPEAKER: I am sorry, I cannot compel him.

Point of Order.

Sj. BIMAL COMAR GHOSE: On a point of order, Sir. Is it permissible for a Minister not to answer a question when it is put?

Mr. SPEAKER: I have no power to compel a Minister to reply when he does not want to, unless you can show me some authority that I can compel him to speak.

Sj. BIMAL COMAR GHOSE: Sir, when questions are submitted to the House with a view to eliciting information and when it has been the convention that supplementary questions can be put, it follows that an answer has to be given. Of course, you cannot compel a particular answer to be given by a Minister. And though you cannot say in what way the answer should be given, still the Minister has got to give an answer when a question is put. That was my idea.

Mr. SPEAKER: I am not just now in a position to say anything more than what I have stated. What I feel about this matter is that when a member asks a question and the Minister does not answer—ordinarily a Minister always answers and gives some sort of answer—I am not aware of any rule by which I can compel him to answer; secondly, when a Minister does not answer, I think we have got to consult the rules and to find out what authority I have to compel the Minister to answer. If you can tell me that there is an authority, I would invite you to discuss the matter in my chamber.

Sj. BIMAL COMAR GHOSE: Is it the position, Sir, that we may go on putting supplementary questions but the Minister may not answer at all and remain silent all the time, and then you can say that you cannot compel him?

The Hon'ble Dr. BIDHAN CHANDRA ROY: My friend can always put in a motion of no-confidence against any Minister if he thinks that the Minister is acting irrationally. But the point is, if a Minister thinks that the question is silly he may remain silent—that is at least kind to the questioner.

Sj. BIMAL COMAR GHOSE: Sir, I can quite appreciate what the Hon'ble Chief Minister and Leader of the House has just now said. But whether a question is silly or not, that is for you to decide and if a question is silly you can certainly pull up the member. But it is not quite proper for any Minister to say that a question is silly.

Sj. SIBNATH BANERJEE: On this very point of order, Sir. এখানে supplementary questions সম্বন্ধে যে provision রয়েছে Rule 34 of the Assembly Procedure Rules says: "Any member may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given,....."

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Read the proviso.

Sj. SIBNATH BANERJEE: I need not read it. The Speaker can say that it is out of order.

Mr. SPEAKER: Don't argue. You state your point.

Sj. SIBNATH BANERJEE: আমার পড়বার দরকার নেই। আপনারা পড়ে দেখুন দয়া করে, সেই provisoতে বলা হয়েছে—As I was saying, Sir——

The Hon'ble NIHARENDU DUTT-MAZUMDAR: May I point out, Sir, that it is only legitimate that when a member reads a rule he should read the whole and not a portion of it——

Sj. SIBNATH BANERJEE: Sir, when I am on my legs I won't yield. I must have my say and the Minister cannot interrupt me. I cannot be interfered with except by the Leader of the House or by the Leader of the Opposition. এতে বলা হয়েছে any member may put the questions তাঁকে একটা answer দিতেই হবে। তিনি অন্ততঃ বলতে পারেন, "I want notice". তা যদি তিনি না করেন তাহলে তাঁর বিরুদ্ধে no-confidence আনতে পারে, এবং Ministerরা contempt of the Houseএ পড়ে যাবেন। He can say, "I am not prepared. I want notice."

যদি না বলেন তাহলে contempt of the House হবে। সেইজন্য কিছু না বলে পারবেন না।

সেই queition silly কিনা তাঁর ভাববার অধিকার নেই। কোন question বা বক্তৃতা silly কিনা সেটা Speaker ভাবতে পারেন। Chief Ministerই হউন বা অন্য যে কোন মন্ত্রীই হউন তিনি এ বিষয়ে আপনার attention draw করতে পারেন। I don't think what that gentleman is saying has any sense whatsover—that attitude itself is silly. We have right to put the questions and তার সঙ্গে সঙ্গে তার উত্তর পাওয়া। কিন্তু Minister যদি সঙ্গে সঙ্গে উত্তর দিয়ে elucidate করতে না পারেন তাহলে বলতে পারেন, "I want notice". কিন্তু তা না বলে, যদি কোন Minister silly মনে করে চুপ করে বসে থাকেন তাহলে this is a contempt of the House.

Sj. BIMAL COMAR GHOSE: Sir, rule 34 that was just now read says that a supplementary question can only be put for the purpose of further elucidating any matter of fact regarding which an answer has been given, which naturally presupposes and assumes that an answer should be given because the question is put for elucidating certain facts. If there is nothing in the question, the Speaker can disallow it.

Then if you come to rule 32, it says: "Questions shall be put and answers given in such manner as the Speaker may determine." Sir, answer must be given because supplementary questions are also questions.

Mr. SPEAKER: Well, I have heard both Mr. Sibnath Banerjee and Mr. Bimal Comar Ghose. What I feel about the matter as to whether a question is silly or not, is that I do not think that the Chief Minister has referred to the particular question put by the honourable member as silly. If he has, I will ask him to withdraw that expression, but if he has generally referred to it I think he need not withdraw.

The Hon'ble Dr. BIDHAN CHANDRA ROY: My submission is that when he raised a general question, my general answer was that if a Minister thinks that a particular question happens to be silly, instead of trying to answer that question or say what he feels, it is much better for him to keep quiet.

Mr. SPEAKER: But you were not referring to that particular question?

The Hon'ble Dr. BIDHAN CHANDRA ROY: No, general question.

Mr. SPEAKER: Therefore, it is not necessary for me to decide on a hypothetical case. He has said that generally if a Minister thinks, he may do this or that. Therefore, when he is not referring to that particular question as silly, as I have already said, there is nothing particular for me to decide. If he had referred to that particular question as silly, I would have asked him to withdraw, but he says that he has not referred that particular word to that particular question.

Now, with regard to the answer to be given to a supplementary question, I have seen in this House that several times no answer was given—the Minister simply sat quiet—and the House took it that the Minister did not want to say anything. (Sj. SIBNATH BANERJEE: Only recently.) No, even before. I believe you also remember it that very often the Ministers, instead of saying "I want notice" or giving some reply, sat quiet. As a matter of fact, if you look into the proceedings of the House, you will find no answer at some places. That is taken as if the Minister does not want to say anything with regard to the matter.

With regard to the question whether I have got the power to compel him to answer or if he does not answer, to take contempt proceedings against him or physically compel him to do so, at present I am not satisfied that rule 32 gives me the power to compel a Minister to give an answer. That is a matter for future consideration as to how far the Speaker has got the power, but at present I do not think I have. That disposes of this question.

The Hon'ble Mr. Niharendu Dutt-Mazumdar yesterday wanted a ruling from me.

Sj. SIBNATH BANERJEE: Sir, I would like to make my submission before a ruling is given.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Mr. Banerjee, I thought you said that we should not get up when the Speaker is on his legs.

Sj. SIBNATH BANERJEE: There are exceptions for two persons.

Ruling of Mr. Speaker as to a member's right to speak when a motion is in the process of being put to vote.

Mr. SPEAKER: I find from the proceedings as to what had happened yesterday. I put the Preamble to vote—I am reading from the proceedings:

"MR. SPEAKER: The question before the House is that the Preamble do stand part of the Bill. As many as are of that opinion will say 'Aye', those who are of the contrary opinion will say 'No'. (After a pause.) The 'Ayes' have it."

It is at this stage that the member, after a pause, wanted to speak and the point of order was raised by the Hon'ble Mr. Dutt-Mazumdar as to whether I have the right to allow him to speak at that stage. I did allow him yesterday and I promised to give a ruling after consideration today. Before I give the ruling, if Mr. Dutt-Mazumdar wants to draw my attention to any particular thing, I will allow him to do so because, after all, we are settling a point of procedure.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I would invite your attention to rule 47 of the Assembly Procedure Rules which provides for closure of discussion on particular motions. This rule lays down as follows: When any motion is under discussion, any member may move "that the question be now put", and unless it appears to the Speaker that the request is an abuse of these rules or an infringement of the rights of reasonable debate or of the rights of the Opposition, the question "that the question be now put" shall be put forthwith without debate thereon. If such motion be carried, the question shall be put accordingly, provided that the Speaker may, unless the time, if any, allotted to the original motion is thereby exceeded, permit the mover of such motion to exercise such right of reply as provided in these rules.

Now, Sir, it implicitly emerges out of this section that after a debate has been closed on the motion of a particular member of the House and if that closure motion is carried, then, after that, no one else has the right to speak except perhaps the mover of the motion himself if he has anything to say by way of reply, provided the time permits him to do so and it is entirely at the Speaker's discretion whether such a right of reply to the mover within the limits of the time available should be given or not. Now, that being the provision, Sir, it even shuts out any question of any member getting up on his feet and making a supplementary or subsidiary speech. Now, *mutatis mutandis* I put it to you for your consideration that where specifically someone has not got up to say "that the question be now put", it devolves on the Speaker to decide as to whether to put the question or not and as soon as the Speaker is on his legs to put the question for a decision of the House, it is presumed that the Speaker has done so after having been satisfied that the discussion on the subject has been adequately done and there is no need for any further discussion. Now, that, I submit, is the automatic and implicit presumption arising out of this rule. In a case where no specific motion for closure has been moved but the Speaker himself has got up to put the question before the House, my point is that at that stage when the Speaker has actually put the question, and after he has once declared "Ayes have it" or "Noes have it", then the only right that any member of the House has got to say anything is for the purpose of calling a division. Before the Speaker has declared twice, after the first declaration, during the pause in between, any member has the right to get up and say "Division" and nothing beyond that. Except for calling for a division, the Speaker's calling for a decision of the House cannot be interrupted, I submit. Because, interruption means a reflection on the Speaker himself that the Speaker, without having ascertained that there has

been ample discussion, was unduly putting the question for a decision. That being the latent presumption, I think, Sir, when you got up to call for a decision and you declared once, you had already satisfied yourself that there had been ample discussion. At that stage a member could get up and say "Division" and you would have allowed division. Now, for a member to get up at that stage and say "I shall again make a speech" is not allowed. I suggest that a careful examination of the ingredients of section 47 of the Rules will make it amply clear that no right accrues to a member, after the Speaker has actually got up and put the question, to interrupt the Speaker putting the question halfway—in between—except for calling a division and then to inflict a speech. I recollect, Sir, with reference to the times of your predecessors beginning from Sir Muhammad Azizul Haque, that often enough after the Speaker got up to call for a decision, some members of the Opposition desired to speak and the Speaker did point out that it was open to a member to speak before that, but once the decision has started getting called, there cannot be any interruption of that. Now, there is no express provision to that effect because it is implicit in rule 47, otherwise there is no end of discussion at any stage. If that is allowed, it will set a dangerous precedent in this way that every time you get up and call for a decision of the House, in between—midway—a member of the Opposition can get up and say "Now, I wish to have my right to speak". It is both unnecessary obstruction and a reflection on the Speaker that the Speaker was calling out for a division before he was satisfied that there had been ample discussion. And that also lays a duty on the Speaker, if he is satisfied, to mention: "I now put the question if there is nobody else to speak"; but when the Speaker has finished all those things one should implicitly accept the Speaker's judgment and decision which is implicit in his conduct of standing up and calling for a decision. I submit, Sir, that it is a very important question of parliamentary procedure, and on this question I would humbly request you to look into the previous precedent and practice prevailing in other developed parliaments of the world and then come to your finding. I do not press for an off-hand decision which may have to be discussed again with your permission, but I would request you, Sir, to consider rule 47 and, in the light of the ingredients of rule 47 and their implicit corollary arising therefrom, come to a conclusion and then give your ruling.

SJ. SIBNATH BANERJEE: Mr. Speaker, Sir, মাননীয় মন্ত্রীমহাশয় যে বললেন Section 44এর মধ্যে তার কোন relevancy নাই। এই সম্বন্ধে তিনি conscious. তিনি যে বলেছেন discussion করা হয়—ভোট দেওয়া যায় না। এটা হচ্ছে A, B, C, অর্থাৎ ক, খ, গ। কিন্তু তার থেকে by implication বলেছেন যে debateএর বেলাও তাই হবে। Speaker মহাশয় বলেছেন ঠিক আছে। ভোটে দেওয়ার পরে কারও আর বলার অধিকার থাকবে না। এটা Speaker decide করবেন না House decide করবে। Speaker যখন দাঁড়ান তখন ধরে নেওয়া হোলো debate is now to be closed. এই রকম fundamental difference betwen two positions রয়েছে তখন এটা ধরে নেওয়া যায় না। Speaker যখন ভোট নেওয়ার জন্য দাঁড়ান কিন্তু তখন যদি কেউ দাঁড়িয়ে বলতে চায় তখন সে বলতে পারে। Unfortunately উনি যখন ভোট নেওয়ার জন্য দাঁড়ালেন তখন আমি দাঁড়িয়ে বলবার চেষ্টা করেছিলাম এবং বহু চেঁচামেচি করে and subsequently after considerable appealing আমি তাঁর দৃষ্টি আকর্ষণ করেছি। কিন্তু Dutt-Majumder মহাশয় বললেন যে sufficient debate হয়ে যাওয়ার পর—কিন্তু debate এখানে হয় নাই। অবশ্য বলতে পারেন যে কোন debateই হতে পারবে না, সে আলাদা কথা। কিন্তু এখানে sufficient debate হয় নাই, এবং এই কথা মনে করবার Speaker মহাশয়ের কোন সঙ্গত কারণ ছিল না।

দত্ত-মজুমদার মহাশয়ের মতে debateএর কোন দরকারই নাই। ভোটে পাস করে দিলেই time save হয় এবং তাড়াতাড়ি বাড়ী যাওয়া যায় কিন্তু আমরা তা মনে করি না। দত্ত-মজুমদার মহাশয় এই প্রশ্ন

তুলবার পর দু-একটা বই পড়ে দেখবার দরকার হয়েছিল। যেমন May's Parliamentary Practice. মন্ত্রীমহাশয়কে বলছি এই সম্বন্ধে ভাল করে দেখে নিয়ে Ruling চাইলে ভাল হয়। আমি বরাবরই লক্ষ্য করে এসেছি যে এই মন্ত্রীমহাশয় অনবরতই এইরকম করে থাকেন।

Mr. SPEAKER: Mr. Banerjee, it is not necessary.

Sj. SIBNATH BANERJEE: But for the purpose of discussing this subject——

Mr. SPEAKER: I do not want that you should indulge in personal invectives.

Sj. SIBNATH BANERJEE: এই মন্ত্রীমহাশয়ের একটা স্বভাবে এসে দাঁড়িয়েছে তিনি সব সময়েই Speakerকে পর্য্যন্ত advice দিয়ে থাকেন।

Mr. SPEAKER: You better go on with your speech.

Sj. SIBNATH BANERJEE: All right, Sir, এই সম্বন্ধে আমার আর বেশী বলার নাই। আপনি কবি বই দেখে এই বিষয় Ruling দেবেন।

Mr. SPEAKER: The point seems to resolve like this. Every member in the House has a right to speak on any subject which is before the House. That right should not be taken away as far as possible. Our procedure with regard to putting the clauses has been as follows. It is very seldom that unless there is an amendment on a particular clause any speech is made; and clause after clause is put before the House without pausing and giving an opportunity to the member to rise. And the reason for this has always been that it is very rarely, as I have just now stated, that without an amendment to a particular clause speeches are made. We have seen in this House that Bills containing 40 to 50 clauses have been passed, and the procedure that we have adopted here is that one after another clauses are put before the House and passed without pausing for any member to rise after every clause. We do not know whether any member will speak. If it is desired that every member should be given an opportunity to speak on every clause then I believe that after every clause I shall have to pause and find out whether any member wants to speak or not. That will be an inconvenient procedure, and that will delay the passage of the Bill, because in my experience as well as in the experience of members of this House they will find that out of 100 cases when clauses have been put there is rarely an occasion on which a member wants to speak. I am saying that the inherent right of a member of this House is to have an opportunity to speak. Ordinarily by the procedure we adopt, rather the speed with which we go on with the different clauses a member may not be able to rise in time before the question is put before the House. But his claim has to be considered leniently with a view to give him an opportunity to speak if he wants to. If I deny him his right to speak then, as I have said before, I have got to pause and see as to whether there is any member who wants to speak or not, even if it be for two or three seconds, but that will be a procedure which will be in my view a waste of time. Therefore I am of this opinion that unless I am precluded by the rules from giving an opportunity to a speaker under such circumstances I can extend my powers in favour of the speaker getting an opportunity to speak. Now the question therefore has to be considered as to whether the Speaker is powerless to allow a memer to speak on a particular motion. Our practice has been this that first of all I put the question to the memers who say "Aye" and then to members on the other side who say "No", and the procedure then is that I should say "Ayes have it" or "Noes have it" and then pause and give an opportunity to members to call a Division and when no Division is called then I say, "Ayes have it" or "Noes have it" and the matter is finally put

and completed. But it has been said that so long as the question has not been stated for the second time the stage is not complete because the usual thing is said "Ayes have it" and then it is said again, "Ayes have it" only for the sake of convenience. But when the words "Ayes have it" have not been repeated a second time, motions are allowed to be withdrawn even when the question has been put for the first time. Therefore I am of this view that the Speaker is not precluded by the rules from allowing a member to speak if he thinks that in justice and fairness the member should be allowed to speak unless and until he has declared his final verdict, so to say, when he speaks for the second time "Ayes have it" for until then the verdict is not declared. That was the reason why I allowed Mr. Banerjee to call for a Division, and I am glad to find that what I decided yesterday is supported by the procedure obtaining in the British Parliament.

In the House of Commons what had happened was that one gentleman wanted to catch the eye of the Speaker. He could not do it. The voting went on and even the declaration was made. And then that member stood up and said, "I could not catch your eye in spite of my efforts and I wanted an opportunity to speak". After some discussion this was what the Chairman said, "It has been pointed out to me that although I had called for the Ayes and the Noes I had not declared which of the two had it. Therefore I have not completely put the question and the honourable member is entitled to address me on the question "that the clause stand part of the Bill"." And there was more discussion on the question. I also find from May's Parliamentary Practice that in the Commons a member is not allowed to speak on a question after it has been fully put to the House and the question is fully put when the Speaker has taken the voices both of the Ayes and the Noes. Therefore emphasis is laid on the word "fully" and my interpretation is that after the verdict is declared no person should be allowed to speak and the Speaker has no right to allow a member to deliver a speech after a verdict is made. No doubt there has been this practice that when a matter has been allowed to be discussed in the House members get an opportunity to discuss and thereafter the voting is begun and after the voting has begun, if a member wants to speak generally he is not allowed because he ought to have been alert and availed himself of the opportunity, and it is his fault if he does not do so. But, as I have stated, in the above circumstances of the case I felt I was justified in permitting the member to speak.

With regard to section 47 of our Procedure Rules to which attention has been drawn by the Hon'ble the Judicial Minister I feel that that is a clause relating to Closure and we must remember that Closure is applied when there is a full discussion in the House and members desire that no further discussion should be allowed. Then a member puts a Closure motion in the House and then if the Speaker also thinks that there has been sufficient discussion on the subject he puts the Closure motion to the House. After the Closure motion has been carried by the House no speeches are allowed to be made but even then a speech can be allowed by the mover of the motion. In my view therefore section 47 has no application to the question at issue before us.

Under the circumstances I feel that the permission given to Mr. Banerjee to speak was in my opinion justified.

Points of Privilege as to the allotment of non-official day.

Sj. SIBNATH BANERJEE: On a matter of half-a-dozen privileges, Sir.

Mr. SPEAKER: Please define your privileges.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, এই হাউসে বিশেষ করে oppositionএ আমি একা আছি। যে rule follow করা হয়, তাতে আমার মনে হয় ordinary rule হচ্ছে, ৭ দিনের মধ্যে একদিন অন্ততঃ non-official business হবে। আজকে twelfth day হচ্ছে কিন্তু non-official একদিনও দেওয়া হয়নি। আজকে শুনলাম যে ওরা আজকেই শেষ করতে চান। আজকেই হচ্ছে দ্বাদশ দিন—twelfth day. অথচ non-official business একদিনও হয়নি। সুতরাং আমি দাবী করছি এই বার দিন থেকে দুদিন non-official business চাই। যদি দু'দিন না হয় একদিন অন্ততঃ চাই। Day fixed হয়নি বলে, Houseএর সামনে আমাদের যে resolutionগুলি আছে সেগুলি circulate করা হয়নি। এই non-official business শুধু যে আমাদের এই পক্ষ থেকেই আছে, তা নয়, ওদিকে যাঁরা বসে আছেন, তাঁদের মধ্যেও কেউ কেউ non-official বিল এনেছেন। শুধু আমাদের Opposition নয় whole Houseএর right নষ্ট করা হচ্ছে non-official day না দেবার জন্য। জানি না আপনার control করবার অধিকার আছে কিনা, সেই প্রশ্নটা এসে যাচ্ছে। আমাদের যে privilegeটা deny করা হল সে সম্বন্ধে আপনার নির্দেশ কি সেটা জানতে চাই। আর যদি Chief Minister মহাশয় রাজী হন, তাহলেত মিটেই গেল।

Mr. SPEAKER: Has the Government anything to say with regard to this matter—non-official business?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, we have not considered that it is possible to have a non-official day this session but in the next session we shall consider this proposition and frame the time table on that basis.

Mr. SPEAKER: Mr. Banerjee, the position is this. You have raised the question at the last moment. So far as my experience goes if members wanted a non-official day and the Government did not give it, they should raise the question at a very early stage. Ordinarily Fridays are reserved for non-official business, but in view of the fact that there has not been much demand, today being a Friday it cannot be allotted now and today being the last day there is no opportunity any more. As is stated by the Leader of the House, this question can only be of value in the next session and as promised by the Leader of the House he will see that some non-official day is given. But non-official business really depends upon the alertness of the Opposition and if they really want non-official days—they have got every right to do it—but they ought to be more alert about it.

Sj. SIBNATH BANERJEE: মাননীয় স্পীকার মহাশয়, আপনি যা বল্লেন, এর পর এসম্বন্ধে কিছু বলছি না, তবে এটুকু জানাতে পারি—শুক্রবার যে হবেই এমন কোন ধরাবাঁধা নিয়ম নাই, শনিবারও হতে পারে।

Mr. SPEAKER: Mr. Banerjee, rule 19 says, "Except at the meeting on Friday of each week, Government business, unless the Governor otherwise directs, shall have precedence at every meeting of the Assembly....." That is the rule. Therefore the Government business has precedence on all other days except Friday. On Friday the non-official business has got precedence but if the Government desires to utilise that Friday and if the Opposition members do not care for the infringement of their rights at the proper time the rights are bound to be infringed because Eternal Vigilance is the price of Liberty, and therefore if the Opposition wants to exercise its rights it has to be alert and vigilant about it; otherwise the Government is bound to infringe its rights.

Sj. SIBNATH BANERJEE: The Car of Juggernath will pass on.

Mr. SPEAKER: That is always the case. So far as I am concerned, as Speaker I represent the entire House and I have looked to the Opposition more than the Government in order to maintain the privileges of the members of the House and it will always be my concern to see that the non-official

business will have some precedence in the matter and it is hoped that Government in the next session will fix some days on which non-official business can be transacted.

Sj. SIBNATH BANERJEE: আমার বক্তব্য শেষ হবার আগেই আপনি উঠে পড়েছিলেন। আজ যে last day সেটা আমরা জানতাম না।

Mr. SPEAKER: Mr. Banerjee——

Sj. SIBNATH BANERJEE: Let me finish, Sir.

Mr. SPEAKER: You have raised a point; I have heard you and I have heard the Leader of the House and I have given my verdict. No further discussion is necessary.

Sj. SIBNATH BANERJEE: Not on that.

Mr. SPEAKER: Is there any point of privilege?

Sj. SIBNATH BANERJEE: Yes.

Mr. SPEAKER: Please first state the privilege.

Sj. SIBNATH BANERJEE: বলবারই সুযোগই পাচ্ছি না, আর আপনিও উঠে পড়ছেন।

Mr. SPEAKER: It is my duty not to allow unnecessary points to be discussed. I have got to preserve the time of the House and you must remember that you have chosen me as your official or as your servant to see that the time of the House is utilised to the fullest extent and therefore I am fully justified in rising the moment I find that you are speaking on something which is unnecessary but I will allow you full opportunity if you speak on the point.

Sj. SIBNATH BANERJEE: I am not questioning that. What I am wanting to say is this. Chief Ministerমহাশয় যা বলছেন, এটা আমরা পরে মনে রাখব, কিন্তু এবারকারটা যেন চলে না যায়। আমরা সুদ চাই না, কিন্তু due যেটা রইল সেটা যেন আগামীবারে পাই।

Mr. SPEAKER: Mr. Banerjee, I hope——

Sj. SIBNATH BANERJEE: Let me finish my sentence.

Mr. SPEAKER: I have permitted you and I think you should be satisfied. In fact I have relaxed in your favour but you are saying same words again and again. You know you cannot discuss a point of order or a point of privilege after the decision has been given by me.

Sj. SIBNATH BANERJEE: We are discussing another point.

Mr. SPEAKER: What is the other point?

Sj. SIBNATH BANERJEE: He made an offer and the offer is there; we can either accept it or not.

Mr. SPEAKER: The offer is there. I cannot allow further discussion on that. Do you want to raise any other privilege?

Sj. SIBNATH BANERJEE: On a matter of personal explanation on behalf of the Opposition—one man Opposition.

আপনি যা বলেছেন আমি সেটা মাথা পেতে নিচ্ছি। আমি আবার explanation দিচ্ছি। তবে oppositionএ একা আর কতটা alert হওয়া যায়।

Mr. SPEAKER: Mr. Baherjee, I cannot permit a discussion on that.

Sj. SIBNATH BANERJEE: No discussion, my explanation.

Mr. SPEAKER: You are giving a personal explanation now?

Sj. SIBNATH BANERJEE: Yes.

Mr. SPEAKER: What is your personal explanation?

Sj. SIBNATH BANERJEE: I am giving it.

গত শুক্রবার আমাদের পাবার কথা ছিল। সেদিন মনে করেছি আমরা পাব এই শুক্রবার। আমরা অত্যন্ত vigilant নই কিন্তু আমি আজ vigilant হয়েই এই question তুলেছি।

Mr. SPEAKER: I cannot allow you to do something which you are not entitled to do. It is not a personal explanation. What is the point of personal explanation that you have said just now?

Sj. SIBNATH BANERJEE: An observation has been made that we are not vigilant and I am saying that we are vigilant.

Mr. SPEAKER: You have no right to speak on that point on behalf of the whole Opposition.

Sj. SIBNATH BANERJEE: On my behalf. I asked for a non-official day and you were pleased to say that we are not vigilant. I have been as vigilant as is physically possible to be without being discourteous to the Chief Minister and irritating him too much.

Mr. SPEAKER: It is not a point of personal explanation and I think in such matters you should observe the rules to conduct the business of the House.

GOVERNMENT BILLS.

The Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950.

Mr. SPEAKER: Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, may I be permitted to move on behalf of Sri Nalini Ranjan Sarker.

Mr. SPEAKER: Yes.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950, be taken into consideration.

Sir, this amendment has been brought in mainly for the purpose, first of containing the provisions of the Bengal Finance (Sales Tax) Ordinance, 1950, and secondly, to bring the provisions in line with the Constitution of India and with the general law on the sale of goods; thirdly, to remove certain procedural defects and lacunae as have been experienced during the working of the Act for the last nine years. Fourthly, certain doubts have been raised with regard to the language of certain of the provisions of the Act, and it was found necessary to make the points clearer by introducing amendments, more or less verbal, to certain provisions of the Act, and also to try and cover loop holes in the Act, in different parts. Sir, there are two provisions in the Amending Bill which are rather important. One is that mentioned in the definition of the Act

under clause 2 in which the question has been raised as to whether the turnover should be based upon the sale-prices which have been received or are receivable. Sir, ordinarily it has been found that the practice with most of the dealers has been that they keep one sort of accounts which is utilisable for income-tax purposes; that is, an account is kept in which those items for which the sale-prices have been received are shown and another account in which those items for which sale-prices have not been received but sales have been completed, that is to say, sale-prices receivable are shown. We have found in practice that 90 per cent. of the traders prefer to put in their accounts in the form in which I have indicated, namely, they put in those items showing the sale-prices which are receivable and not the sale-prices which have been received. In certain cases, particularly in the case of small dealers they have shown the sale-prices as received. The general procedure was that those items of sale for which sale-prices have not been received but are receivable have also been taken into account and taxes imposed or assessed with the provision that in case ultimately sale is not found to be complete, money is returned and sale adjusted afterwards. Therefore, there are two types of procedure in existence. It was thought or at least we were advised that in cases where the accounts only show the receivable amount for the sales done during the year, assessment may not be strictly according to the Act which used the word "received" and not "receivable". Therefore in the Amending Bill an amendment has been proposed showing a sort of compromise between these two views that we should use the word "receivable" and not use the word "received" in clause 2(*i*) of the Sales Tax Act. That is one point in which the Amending Bill has laid down a certain procedure.

The other point has been the question of certificate which a wholesale dealer has to produce in order to get the exemption from the sales tax. Sir, ours is a one-point sales tax, that is to say if a person who is a registered wholesale dealer sells his goods to another wholesale dealer, he is exempted from paying the sales tax at that point. And this sale goes on from one dealer to another until the consumer or a dealer who is not a registered dealer purchases from a registered dealer and it is at that point that sales tax is levied. It has been found that in order to get exemption a registered wholesale dealer takes a certificate—a small piece of note—written by the wholesale dealer who is going to purchase from another registered wholesale dealer saying that he is a registered dealer. If he does so, exemption is made, but it has been found in practice that in some cases a person, who is buying from a wholesale dealer who is a registered dealer, who says that he also is a registered dealer—he was afterwards found on enquiry to be not a registered dealer; and in many cases no person of that name could be traced with the result that the registered wholesale dealer was put to difficulties. Therefore we have proposed under Section 4 of the Amending Bill that there should be a form prescribed by the Department and which will be issued to every registered dealer in which the registered dealer who wants to purchase from another registered dealer will have to sign his name and give the number, etc., saying that he is a registered dealer. Obviously this form must be signed by a true and proper person, by a reliable and responsible wholesale dealer, and it should be the duty of the Department to verify the signature of the person who has sent the form signed in the prescribed form to another wholesale dealer concerned in order to enable him to obtain exemption. If the prescribed form is signed really by the registered dealer and if it is acceptable to the Department, then the wholesale dealer who has sold his goods to another wholesale dealer, both being registered, will be exempt from paying any additional taxation.

Sir, these are the two important clauses of the Act which are dwelt upon and amendments have been found to be very essential in order to make the

procedure of assessing sales tax easier and more devoid of any doubt as to the procedure adopted so far as different dealers and Government are concerned. The detailed reasons for each clause are given in the note that has been appended to the Act. I need not worry you with that at the present moment.

With these words, Sir, I move that this Amending Bill be taken into consideration.

Sj. SIBNATH BANERJEE: মিঃ স্পীকার মহাশয়, গত বাজেট সেসনে আমি Sale tax সম্বন্ধে দুটী জিনিষ বেশী করে বলেছিলাম, তার একটী হচ্ছে এই প্রদেশে, এই রাষ্ট্রে যা Sale tax সেটী যদি পাশের রাষ্ট্রের চেয়ে কম হয়, তাহ'লে আমাদের পক্ষে খুব অসুবিধা হয়। ব্যবসায়ীরা অন্য রাষ্ট্র থেকে কিনে এখানে নিয়ে আসে Sale tax কম দিতে হয় বলে এবং এ সম্বন্ধে কোন উল্লেখ দেখলাম না। অবশ্য amendment দ্বারা হবে না, সেটা administrative wayতে করা দরকার। মাননীয় প্রধান মন্ত্রীমহাশয় সে সম্বন্ধে আলোকপাত করলে খুশী হতাম।

আর একটী জিনিষ খুব জোর করে বলেছিলাম—Sale taxত ক্রেতার কাছ থেকে আদায় করে নেওয়া অথচ দেওয়ার সময় অনেক দোকানদার defaulter হয়ে যায় এবং defaulter হবার পরে তারা অনেকেই কিস্তিবন্দী করে। কিন্তু তার জন্য সুবন্দোবস্ত ছিল না। জানি না যা amendment করেছেন তা কতখানি সুবন্দোবস্ত হবে। এত বেশী clause জোড়া হয়েছে যে তাতে বিলটির improvement হয়েছে কিনা তাও জানিনা। তার উপরে মাননীয় সুশীল ব্যানার্জী মহাশয় এত short-notice amendment এনেছেন, তার মধ্যে যে কোনটার সঙ্গে কোনটার কি সম্বন্ধ তা খুঁজে বের করা কঠিন।

প্রথম জিনিষটা ক্রেতারা Sale tax দিয়ে কেনা সত্ত্বেও দোকানদাররা defaulter হয়ে থাকে। গভর্ণমেণ্টের money deposited হয়ে থাকে with the shopkeepers অথচ তারা সময়মত গভর্ণমেণ্টকে tax দেন না। তার উপর তাদের প্রতি দয়াদাক্ষিণ্য দেখাবার কোন কারণ নেই।

এটা income-tax এর ব্যাপার নয়। কারণ ক্রেতার কাছ থেকেই টাকাটা নিচ্ছেন এবং তা নিয়ে গভর্ণমেণ্টকে ফাঁকী দেওয়া। এক বছর, দুই বছর defaulter তাও কিস্তিবন্দীতে দেওয়া হয়। এছাড়া আবার গভর্মেণ্টের favour পায়। তাদের prosecute করবার অনেক কিছু কারণ থাকলেও তা করা হয় না। তাদের prosecute করা যেতে পারে অথবা আর্থিক চাপ দেওয়া যেতে পারে, কিন্তু তা সম্ভব হয় না।

গত বছর বাজেট আলোচনার সময় যে সমস্ত ত্রুটী আমি দেখিয়েছিলাম তা সম্পূর্ণরূপে সংশোধন হয়েছে কিনা, জানি না। Third readingএ দেখা যাবে তখন যদি দরকার হয় ত আমি ফের বলব। এখন আমি as it is এই বিল সমর্থন করছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, of the two points that have been raised by Sj. Sibnath Banerjee one is that there should not be any differential rates of sales tax between the different provinces. This matter was considered on three different occasions in Delhi where all the Ministers of the different provinces had met. Although most of the provinces agreed on principle to a more or less uniform sales tax, I may say at once that I agree with Sj. Sibnath Banerjee that there should be more or less a uniform sales tax everywhere. Otherwise smuggling and all sorts of nepotism will be carried on. The only difficulty that came in was about Madras where there is no single point tax but multi-point tax which made it impossible to come to a uniform rate of sales tax. But I hope some sort of a uniform sales tax will be agreed upon by the Centre which alone can do this and not the different provinces.

With regard to Sj. Sibnath Banerjee's second point about defaulter, I entirely agree with him that we should strengthen our Inspectorate and detect all the fellows who take money from the consumers but default in payment to the Government of their sales tax. We have strengthened our Inspectorate very largely and we hope that we shall improve the realisation from sales tax within the course of the year.

Mr. SPEAKER: With regard to the motion for reference to Select Committees no consent of members proposed to be included has been obtained and therefore they are all out of order.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950, be taken into consideration was then put and agreed to.

SJ. SIBNATH BANERJEE: On a point of privilege, Sir. Whatever opinion or direction you have given regarding the clauses, I entirely agree with the same opinion with you, but may I suggest that you may say whatever you have got to say sitting, otherwise if you say standing, we cannot stand.

Mr. SPEAKER: Well, if you stand up I will sit down (Laughter).

Clause 1.

SJ. SUSIL KUMAR BANERJEE: Sir, with your permission, I beg to move that in clause 1(2), in lines 4 to 6, for the words "the rest of the Act shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint" the following be substituted, namely:—

"the remaining sections of the Act shall come into force on such date or dates as the State Government may, by notification in the Official Gazette, appoint and for this purpose different dates may be appointed for different sections".

SJ. SIBNATH BANERJEE: Sir, I am opposed to this section, unless it has effect as in other Bills. আমার মনে হয় it should come into effect immediately. I think it is a dilatory method and we are not going to accept the motion unless it is provided that it should come into effect immediately after passing.

The motion of Sj. Susil Kumar Banerjee was then put and agreed to.

The question that clause 1 as amended do stand part of the Bill was then put and agreed to.

Clause 2.

SJ. SUSIL KUMAR BANERJEE: Sir, I beg to move that in clause 2(*f*), in proposed clause (*i*) of section 2, in line 3, for the words "by a dealer" the words ", or if a dealer so elects, actually received by the dealer" be substituted.

I also beg to move that in clause 2(*f*), for the proposed proviso to clause (*i*) of section 2, the following proviso be substituted:—

"Provided that an election as aforesaid once made shall not be altered except with the permission of the Commissioner and on such terms and conditions as he may think fit to impose."

I beg further to move that in sub-clause (*g*) of clause 2, in line 4 of the definition of "year" after the words "dealer are" the word "ordinarily" be inserted.

The motions were then put and agreed to.

The question that clause 2 as amended do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

Sj. SUSIL KUMAR BANERJEE: Sir, I beg to move that in clause 4(*a*), in proposed sub-clause (*ii*) of clause (*a*) of sub-section (*2*) of section 5, in lines 1 and 2, the words "which are shown to the satisfaction of the Commissioner to have been made" be omitted.

Sir, I also beg to move that in clause 4(*a*), in the proposed proviso to sub-clause (*ii*) of clause (*a*) of sub-section (*2*) of section 5, in line 5, for the words "obtainable on payment of the prescribed fees" the words "obtainable from the prescribed authority" be substituted.

Sir, I also beg to move that in sub-clause (*b*) of clause 4, in line 1 of the new sub-clause (*iii*) of sub-section (*2*) of section 5, for the words "sales by a registered dealer to any undertaking" the words "sales to a registered dealer" be substituted.

The motions were then put and agreed to.

The question that clause 4, as amended, do stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Clause 7.

The question that clause 7 do stand part of the Bill was then put and agreed to.

Clause 8.

The question that clause 8 do stand part of the Bill was then put and agreed to.

Clause 9.

The question that clause 9 do stand part of the Bill was then put and agreed to.

Clause 10.

The question that clause 10 do stand part of the Bill was then put and agreed to.

Clause 11.

Sj. SUSIL KUMAR BANERJEE: Sir, I beg to move that clause 11 be omitted.

Mr. SPEAKER: This is a negative motion. This motion is out of order. You vote against it.

The question that clause 11 do stand part of the Bill was then put and lost.

Clause 12.

Sj. SUSIL KUMAR BANERJEE: Sir, I beg to move that in clause 12(*a*), in the proposed sub-section (*1*) of section 14, in line 9, for the words "the Commissioner deems" the words "may be deemed" be substituted.

Sir, I also beg to move that in clause 12(*c*), in the proposed amendment to sub-section (*4*) of section 14, in line 1, after the words "Commissioner has" the words "upon information received," be inserted.

The motions were then put and agreed to.

The question that clause 12, as amended, do stand part of the Bill was then put and agreed to.

Clause 13.

The question that clause 13 do stand part of the Bill was then put and agreed to.

Clause 14.

The question that clause 14 do stand part of the Bill was then put and agreed to.

Clause 15.

The question that clause 15 do stand part of the Bill was then put and agreed to.

Clause 16.

The question that clause 16 do stand part of the Bill was then put and agreed to.

Clause 17.

The question that clause 17 do stand part of the Bill was then put and agreed to.

Clause 18.

The question that clause 18 do stand part of the Bill, was then put and agreed to.

Clause 19.

Sj. SUSIL KUMAR BANERJEE: Sir, with your permission, I beg to move that clause 19(*a*) be omitted.

The motion was then put and agreed to.

The question that clause 19, as amended, do stand part of the Bill, was then put and agreed to.

Clause 20.

The question that clause 20 do stand part of the Bill, was then put and agreed to.

Clause 21.

Sj. SUSIL KUMAR BANERJEE: Sir, I beg to move that in clause 21(*c*), in proposed clause (*bb*) of sub-section (*2*) of section 26, in line 4, for the words "the fees payable for such form" the words "the authority from which such form shall be obtainable" be substituted.

I also beg to move that clause 21(*d*) be omitted.

The motions were then put and agreed to.

The question that clause 21, as amended, do stand part part of the Bill, was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill, was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950, as settled in the Assembly, be passed.

Sj. SIBNATH BANERJEE: মাননীয় স্পীকার মহোদয়, আমি গোড়ায় এ বিল সমর্থন করেছিলাম কিন্তু এর মধ্যে যে amendment এনেছেন তাতে এটা inoperativeই থেকে যাবে। যা পাশ হয়েছে, এটাকে যাতে inoperative করে না রাখা হয় আশা করি সে ব্যবস্থা করবেন। এটা immediately enforce হলেই ভাল হতো। যাতে তাড়াতাড়ি কার্য্যকরী হয়, সেজন্য অনুরোধ করছি। আর একটা রীতি এই যে আমাদের এখানে বিলের notice দেওয়া হয় ১৫ দিন আগে, কিন্তু এবারে যা করা হল, এই রকম করে last momentএ short notice amendment যদি আনেন, তাহলে তার কোন মানে হয়না। তারপরে এই সব amendment circulate করবারও কোন পদ্ধতি দেখছি না। পূর্বের এক set দিয়েছিলেন, যা ভাল কাগজে ছাপা হয়েছিল, তারপরে আর একটা দিয়েছেন, যেটা cyclostyled হয়েছে। এসব করে অনর্থক খরচই হয়, কাজ বিশেষ কিছু হয় না। এরকম amendmentএর অর্থ কি? (The Hon'ble Dr. BIDHAN CHANDRA ROY : অর্থ আছে বলেই করা হয়।) কিন্তু বার হাত কাঁকুড়ের যদি তের হাত বীচি হয় তাহলে মুস্কিল হয়। যত বড় clause তার চেয়ে অনেক লম্বা amendment এনেছেন, এইরকম করলে নিজেদের কর্ম্মক্ষমতা দেখান হয় না এবং Legislatureএর প্রতিও সম্মান দেখান হয় না।

Sj. BIMAL COMAR GHOSE: Mr. Speaker, Sir, while hoping that the administration, as a result of this amendment, will be tightened up and evasions will be stopped, and hoping further, Sir, at the same time that traders and businessmen will not be unnecessarily harassed I have one request to make to the Chief Minister, viz., that he may be pleased to exempt fresh fruits from the payment of sales tax. I understand, Sir, that for various reasons the tax has not been collected up to now. Various difficulties have cropped up. I do not think that fresh fruits is a good subject for taxation, and I have a request to make to the Chief Minister that he may be pleased to include it in the schedule as provided in clause 6 of the Act.

The Hon'ble Dr. BIDHAN CHANDRA ROY: In the beginning as pointed out by you, Sir, I admit the fact that some of the Bills have been circulated rather late, and I promise to try and tighten up the thing in future.

As regards the question that a large number of amendments have been put in at the last moment, I may tell my friend Sibnath Banerjee that these amendments which have been moved by Sj. Susil Banerjee are really not his motions as such but they are the result of discussion with various persons who are interested in the provisions of the Bill, and who had different points of view, and we agreed to a certain compromise with regard to the provisions of the Bill, and therefore the amending Bill as drafted had to be amended further, and the only person who could put the amendments before the House is the Chief Whip selected by the party.

As regards the suggestion of Mr. Bimal Ghose, I have already told him that the Finance Department will look into this matter, and if *ipso facto* sales tax is not being imposed we might consider the question of not imposing sales tax on fresh fruits *de jure*.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950, as settled in the Assembly, be passed, was then put and agreed to.

The West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, I beg to introduce the West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that the West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950, be taken into consideration.

Sir, the Rent Control Act has unfortunately proved an ill-starred measure. Soon after this Government came into office, they placed on the statute book a comprehensive measure for rent control. When the Act was passed, it was well received, on all hands. Soon after, objections were raised, and questions were raised in particular against certain provisions of the Bill as working harshly on the tenants. The Government of West Bengal appointed a non-official committee with Mr. Atul Chandra Gupta as Chairman. The committee made certain recommendations. They even suggested the lines on which the Act of 1948 should be revised. The Act, Sir, was revised, and the Rent Control Bill, 1950, was brought forward. That was again a comprehensive measure, and it was thought that when the Act was being placed on the statute book in accordance with the recommendations of the non-official committee, the Act would be an altogether satisfactory Act—satisfactory to all the parties concerned. But, Sir, unfortunately two questions have emerged since the Act was passed, which have necessitated further amendment of this Act of 1950. In the first place, Sir, it is seen that in Calcutta we are not going to have very many new houses and representations have been made that unless better terms, than those that have been provided for in the Act of 1950 are offered, owners of lands will not feel encouraged to build new houses. It is therefore just to give encouragement to the owners of land to build new houses which this province needs so much at the present moment when there is such an influx of refugees and other people to Calcutta and the urban areas, Government have thought it fit and proper to assure the owners of land that if they build new houses they can expect better return. That is the reason for the proposed amendment of section 9 of the Act. Then, Sir, amendment of section 18 has also been deemed necessary. Section 18 was intended to give relief to those persons who were liable to eviction that is, against whom decrees for eviction or suits for eviction were pending, because of *ipso facto* determination of tenancies under the provision of section 12(*3*) of the Act of 1948. It was intended to give relief to those persons under section 18 of the new Act of 1950. Unfortunately there has appeared a conflict of judicial decisions which has got to be removed. In Maniklal Dutt's case it was held by the Calcutta High Court that a tenant whose tenancy had been determined *ipso facto* for non-payment of rent for three months under section 12(*3*) of the Act of 1948 could not be described as a tenant nor a decree for eviction against him could be described as a decree for ejectment on the ground of default in payment of arrears of rent and therefore he was not entitled to the benefit of new section 18. Sub-section (*1*) of section 18 runs as follows: "Where any decree for recovery of possession of any premises has been made on the ground of default in payment of arrears of rent under the provisions of the West Bengal Premises Rent Control (Temporary Provisions) Act, 1948, but the possession of such premises has not been recovered from the tenant, the tenant may apply to the trial court within sixty days of the coming into force of this Act for vacating the decree for ejectment against him and within such period no order for delivery of

possession shall be made by any court, nor if an application is made by the tenant under this sub-section till the application has been dismissed under sub-section (4)". Then there is a similar provision in sub-section (5) of section 18 to give relief to such tenants against whom suits for eviction were pending, but the Calcutta High Court in the Maniklal Dutt's case decided that the person who suffered *ipso facto* termination of tenancy was neither a tenant nor a decree against him could be described as a decree obtained against him on account of the default in payment of arrears of rent. Again, Sir, another decision was made by the High Court in Nandarani's case. There it was held by the trial Judge that the decree against a tenant whose interest had been terminated by operation of section 12(3) could be properly described as a decree for ejectment obtained against a tenant and obtained for default in payment of arrears of rent. But on appeal that judgment was reversed and it was decided that although he might be described as a tenant, yet the decree against him for eviction could not be described as a decree on ground of default in payment, that is, non-payment of arrears of rent. Therefore he could not be allowed the benefit of section 18(1). But on the morrow of that decision another judgment was delivered by the High Court in S. B. Trading Company's case in which it was held that the class of tenants who lost their tenancies under the provisions of section 12(3) of the Act of 1948 could not be properly described as tenants and much less as tenants against whom suits for ejectment of the type referred to in section 18(5) of the Act of 1950 were pending. Now in view of all this conflict of decisions it has become necessary to make the position clear and to make it possible for that class of tenants who suffered *ipso facto* termination of their tenancy under the Act of 1948 to have the benefit of the new section 18 of the present Act. Therefore we are going to propose amendments to section 18 in the manner provided in the Bill. These are the reasons, Sir, which have necessitated the present amendments and I hope the House will be pleased to pass this relieving measure.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, মাননীয় মন্ত্রীমহাশয় শেষকালে যেটা বললেন এই amendment পাস করবার কথা, সেটা আমি খুব আনন্দের সঙ্গেই করবো। কিন্তু যে কথাটা বারবার আমাদের সামনে আসছে সেটা হ'ল এই যে এরা এত incompetent কেন? যে কথাটা তাঁরা আগেই বলেছেন, অন্যান্য মন্ত্রীরাও বলেছেন আনন্দীলাল পোদ্দার ও অন্য যাঁরা বক্তৃতা করে চেঁচামেচী করেছেন তাদের satisfy করবার জন্য কিছু crumb এদিক ওদিক দিয়ে দিয়েছেন সেটা করতে হয়, তা বুঝতে পারি। কিন্তু এটা তো তা নয়। পাব্লিক তখন অভিনন্দন জানিয়েছিল, যখন এই মন্ত্রিমণ্ডলী এই বিলটা প্রথমে ১৯৪৮ সালে আনেন। কিন্তু দেখা গেল তাতে গলদ। তারপরে তার amendment '৫০ সালের মার্চের ৩০শে তারিখে বেরিয়েছিল গেজেটে। কিন্তু তাতেও গলদ। এমন গলদ যে তা আবার কয়েকদিন পরে হাইকোর্ট থেকে ধাক্কা খেয়ে এই পরিষদের সামনে আনতে হয়েছে। আমাদের বলা হয়, তোমরা পড়ো না। আমি কালকে সত্যই বলেছি যে আমাদের অত পড়বার সময় নাই। কিন্তু যাঁরা বিল আনছেন, তাঁরা তো পড়বেন? তাঁরা যদি পড়বার সময় না পান, বা পড়ে না বুঝতে পারেন, তাহ'লে তাঁদের সেক্রেটারীদের দ্বারা পড়িয়ে নিন্ না কেন? Indian Penal Code যা হয়েছে, সে ত বহু পুরাণ হয়ে গেছে, তার ত কোন amendment দরকার হয় না? তাঁরা যদি policy change করেন, তাহ'লে তাঁদের নূতন Act করা দরকার, আর তা না হ'লে তাঁদের amendment করার দরকার হয় না। পুরাণ যা পড়ে আছে, তাই রয়েছে। নিত্য পরিবর্তনশীল জগতে নিত্য পরিবর্তনশীল Act ও বিলের সঙ্গে it is rather difficult to cope with.

Mr. SPEAKER: Please speak on the subject. (The Hon'ble PRAFULLA CHANDRA SEN : আমরা Progressive কিনা।)

Sj. SIBNATH BANERJEE: না, আমরা dynamic, আমাদের Chief Ministerএর ভাষায়। আমাকে বলা হয়েছিল Chambers' dictionary নিয়ে আসা দরকার। হাঁ, তা স্বীকার

করি। কিন্তু entertainment মানে আমরা বুঝি। যেমন কালকে এখানে entertainment হ'ল, রজনীতে চা খাওয়া হ'ল ইত্যাদি। কিন্তু আমি বলি--একখানা করে বাংলা অভিধান ডাঃ রায় ও অন্যান্য মন্ত্রীদের রাখা উচিত। (The Hon'ble Dr. B. C. Roy : দিও, দিও।) আমি ডাঃ রায়কে অর্বাচীন বলেছিলাম। তাতে ডাঃ রায় চটেননি, চটেছেন তাঁর সভাসদ্‌রা। তাঁর ৭২ বৎসর বয়স হ'ল, তিনি প্রাচীন হননি। তাহ'লে অর্বাচীন মানে তিনি প্রাচীন নন্। এতে তাঁকে complementই দেওয়া হ'ল (Laughter). (The Hon'ble Dr. B. C. Roy : চারু বাবুও হাসছেন।) এটা তারা বুঝতে পারেন না। কাজেই একটা করে বাংলা dictionary তাঁদের আনা দরকার।

Mr. SPEAKER : What has it got to do with the Rent Act ?

Sj. SIBNATH BANERJEE: যাহোক rent সম্বন্ধে বেশী কবে বলবাব আছে। Calcutta Tenant Association এই নিয়ে যথেষ্ট আন্দোলন করেছেন। জোড়াসাঁকো অঞ্চলেব কোন একজন লোক পুলিশ অফিসারের দ্বারা প্রহৃত হয়েছিলেন। কালকে ডাঃ বায় বলেছিলেন যে দয়ারাম বেরী যে তাদের মধ্যে ছিল পুলিশ তা খবব পায় নাই।

আমবাও এইরকমভাবে প্রহৃত হয়েছিলাম। যখন তখন আসে কাঁদুনে গ্যাস, লাঠি আমাদেব উপর, আর সেটা তাঁরা সব ভুল করে করেন।

আইনে যদি ফাঁক থাকে, তাহলে প্রত্যেক বাবই এইবকম হবে। (The Hon'ble PRAFULLA CHANDRA SEN : ওটা কি লাল ?) ওটা red rag নয় যে আপনাবা চটে যাবেন !

Section 18, যে জিনিষটা আগেই ছিল, গোড়ায় যেটা বলেছি, এতে গলদ আছে কিনা, তা জানা দবকাব। আমার মনে হয় আরও গলদ বয়ে গেছে এতে। মাননীয় মন্ত্রীমহাশয় বলেছেন বাড়ী তৈবী কবা দবকাব। নিশ্চয়ই দরকার। কিন্তু তার আগে যে বাড়ীগুলো আছে, তা requisition করা যায়। আগেই বলেছি three-room per family of five দিয়ে বাকী ঘরগুলো requisition কবে temporary provision কবা যায়। তাহ'লে এই বাড়ীর সমস্যাটা temporarily অনেকটা এগিয়ে যায়। Rent Controller যে ভাড়া বলবেন, তাই দেওয়া যাবে। তাতে housing problem সোজা হয়ে আসে অনেকটা, যদিও solve হয় না একেবারে। কিন্তু সেদিকে কোন ইঙ্গিত এখানে নেই। যদিও এই গভর্ণমেণ্টের কাছ থেকে সে আশা করছি না।

বাড়ী তৈরীর কথা বলছি। সেখানে 6 per cent interest কেন ? সেটা too high. কানপুরে ঠিক কবে দিয়েছে যে ১২ বছর ভাড়া দিলে, সেই বাড়ী সেই ভাড়াটের হয়ে যাবে। (The Hon'ble PRAFULLA CHANDRA SEN : কত করে ভাড়া দিলে ?) Two rooms flat, 3 rooms flat, আমাদেব মন্ত্রীমহাশয়ের 10 rooms flat হলেই হবে।

তারপরে এই যে 6 per cent Interest চাওয়া হয়েছে এটা অত্যন্ত বেশী এটা কমিয়ে $2\frac{1}{2}$ per cent করা উচিৎ।

Sub-tenantএর কথা মোটেই বলবো না, যদিও তাব উল্লেখ আছে। তাদের interest safeguard করবার কোন ব্যবস্থা এতে নাই। Tenant যদি ভুল কবে অন্যায় করে, সে যদি ejected হয়ে যায় তাহ'লে তার সঙ্গে সঙ্গে sub-tenantকেও রাস্তায় নামতে হবে। এটা হওয়া উচিত নয়। তাদের যাতে ফুটপাতে দাঁড়াতে না হয়, তার জন্য sufficient safeguard থাকা উচিত। আমি যে amendment দিয়েছি আশা করি মন্ত্রীমহাশয় সেদিকে একটু মনোযোগ দেবেন। সেগুলোর দ্বারা State security endanger করবার কোন plan নাই। তাঁরা শুধু দেখবেন sub-tenant ousted না হয়ে যায় along with the tenant। অনেক সময় sub-tenantকে জানান হয় না, case হয়ে যায় এবং তারপর tenantএর সঙ্গে সঙ্গে রাস্তায় বেরুতে হয়। তারা land-lordকে ভাড়া দিতে রাজী। তাদেব টাকা land-ownerকে accept করতে হবে। তাঁদের ত টাকা পাওয়ার কথা। সেটা পেলেই তাঁরা খুশী। তাতে capitalistরা চটবে না। আর আপনাদেরও তাতে ভয় পাবার কোন কারণ নাই। (The Hon'ble P. C. SEN : আমাদের কিছুতেই ভয় পাবার কারণ নাই।) অনেক জায়গায় land-ownerরা ইচ্ছে করে ভাড়া না নিয়ে defaulter করে দেয়। (The Hon'ble P. C. SEN : কোর্টে জমা দিতে পারে।) হ্যাঁ, কিন্তু তারও

অনেক difficulties রয়েছে। ছ'মাসের মধ্যে এই জমা টাকা তুলে নিতে না পারলে আপনাদের পকেটে কিংবা অন্য কারো পকেটে চলে যায়, তা জানি না। সেই টাকা জমা দিতে যারা যায় ও তুলে নিতে যারা যায়, প্রধান মন্ত্রী বলেছেন আমি জানিনা, এ ব্যাপারেও গলদ আছে। Unfortunately অফিসাররা কিছু পানটান খাওয়ার জন্য নিয়ে থাকেন।

আর একটা কায়দা আছে কোর্টে না গিয়েও বাড়ী থেকে eject করা চলে, আলো বন্ধ করে দিলে বা ওরকম কিছু করলে। (The Hon'ble N. DUTT-MAZUMDER : তাহ'লে ত তাদের prosecution করা চলে।). হাঁ, Prosecutionএর ব্যবস্থা আছে বটে, কিন্তু আরও কি drastic measure এ বিষয়ে নেওয়া যায় তা পুলিশ বলে দিতে পারেন। সেটা আপনারাও জানেন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: On a point of order. May I have your ruling, Sir? It is true that there are amendments proposed by my friends Mr. Sibnath Banerjee, Mr. Bimal Comar Ghose, Mr. Anandilal Poddar with reference to sections of the Rent Control Act other than those which are sought to be amended by this Bill. My question is, at best their amendments may be very valuable but at the present moment Government will not be able to give any answer "yes" or "no". That is one aspect of the question. Therefore, Sir, a discussion on those sections which are not under the provisions of the amending bill would not only be futile at this stage but would not be of any value to anybody. On the other hand, I have already said to you and I make the suggestion that all the amendments that have been proposed on other sections of the Bill will be very closely scrutinised by the deparment and if any valuable suggestions have been made in these amendments, they shall be accepted by the Government and an amending bill may be brought in. But this Bill, Sir, is only with reference to two sections of the Act, and, therefore, I suggest that discussions or amendments to be moved on other sections of the Bill would be fruitless, so far as this side of the House is concerned and probably would not be very valuable to anyone in this House.

Sj. SIBNATH BANERJEE: Sir, may I make my submission regarding the suggestions of the Chief Minister?

Mr. SPEAKER: Yes.

Sj. SIBNATH BANERJEE: Chief Minister এই যে বল্লেন যে সত্যিই আমাদের amendment দেওয়া হয়েছিল যা গ্রহণ করার পক্ষে অসুবিধা আছে কিন্তু at this stage discussion close করলেও আমাদের অসুবিধা হবে। তাই আমি চেষ্টা করছি হয়ত ভুলেও ওর দু'একটা accept করতে পারেন। অবশ্য সেটা hope against hope. তবুও আমি চেষ্টা করবো তাঁকে এবং তার crowdকে বা অন্যান্য Government party——

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, let him not use the expression "crowd".

(Cries of "withdraw, withdraw" from the Treasury Benches.)

Sj. SIBNATH BANERJEE: Sir, I withdraw the expression and substitute the word "crowd" by the words "Cabinet and the Hon'ble Ministers". এইটা আমি withdraw করছি।

Mr. SPEAKER: You are discussing the consideration clause.

Sj. SIBNATH BANERJEE: Also discussing the interruptions of the Hon'ble Chief Minister.

Mr. SPEAKER: You were discussing other clauses and the Hon'ble the Leader of the House has drawn the attention of the House to the fact

that this Bill is intended to amend only two sections and, therefore, any discussion over other sections is rather outside the scope of the Bill and should not be permitted.

Now, with regard to the particular amendments, when they will come before the House I will say as to whether any particular amendment is in order or not. That question will arise there. So far as discussion of the consideration motion is concerned, it should be remembered that the principle to be observed is that the discussion should be relevant to the ambit, to the scope and principles of the Bill. I, however, do not absolutely debar any member from referring in short to some other things to which he wishes to draw the attention of the Government, but it should be remembered that reference is allowed as a matter of concession and should not form part of the substantive argument on the consideration clause, in which case that may be ruled out. Therefore, I would request you to speak on the amendments which are before the House. At the consideration stage discussion should be confined to the principle of the Bill. Incidentally you may refer to other things here and there. So far as Government amendments are concerned, as I have said before, I will consider them at the time when they are moved.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want to make a further offer to Sj. Sibnath Banerjee. If he is anxious to place his valuable suggestions before the Government, I shall meet him any day a little while after the Pujas. Let him bring forward two or three persons who are interested in the amendments and we shall certainly discuss these things with them and then we can come to a certain decision.

Sj. SIBNATH BANERJEE: Sir, I heartily thank the Chief Minister for this offer and I shall certainly avail of that opportunity, but I do not know what will transpire as a result of that discussion, because there will be no Speaker to protect me.

Mr. SPEAKER: No Speaker is required there.

Sj. SIBNATH BANERJEE: Sir, I shall try to follow your advice. But, Sir, I was thinking that the Chief Minister, apart from this offer of discussion behind the screen, is labouring under a little misapprehension, if he thinks that the amending clauses can be discussed without the main clauses, for instance, we can hardly discuss the amending clause without clause 9.

Mr. SPEAKER: Let us not go on a hypothetical basis. The principle enunciated and already settled is this that whenever a Bill comes before the House to amend a particular Act, whether a discussion or an amendment is relevant to that Act or not is to be considered from three considerations. The first consideration is the preamble of the Bill. The second consideration is the Statement of Objects and Reasons, and the third consideration is the provisions of the Bill. Therefore whether a discussion is relevant to this Bill or not or whether an amendment is relevant to this Bill or not is to be considered from these points of view. As a matter of fact, in this very house, if you remember aright, Sir Azizul Haque discussed this point on two or three occassions and he gave his ruling on this point. I also feel that on principle the ruling is sound and for this reason that if the Government wants to amend two or three clauses of the Bill and if the members bring in amendments to other clauses of the Bill, that means you will leave open the whole of the Bill for discussion, when the Government wants to amend the Bill on a particular section. Suppose there is an amendment in regard to sections 9,or 18, certainly you are entitled to bring in for discussion those things which have relevancy to that particular amendment or rather

it is said that the amendment for discussion must be such that there is a peg upon which it can be hung. Otherwise the discussion is meaningless. Government is not in a position to discuss all the clauses of the Bill. There may be amendments required to several clauses, but the Government is not prepared to discuss the whole Act. Therefore this rule has always been observed and I do feel that we should continue to observe this rule.

Sj. BIMAL COMAR GHOSE: Are you giving your ruling on the admissibility of amendments?

Mr. SPEAKER: I am just considering what discussion should be allowed. I have already said that discussion can be allowed only within the ambit, within the scope of the Bill. If discussion goes at random, that will be outside the scope of the Bill.

So far as the consideration stage is concerned, I have not ruled out absolutely all references to other sections if the honourable member so desires. What I say is this that they should not form the main discussion of the speech. I have allowed this as a matter of concession that if any member wants to refer to certain other things which require some alteration at this stage, I will not debar him from doing so, but he should not dwell upon them as a matter of right or go at length.

Sj. BIMAL COMAR GHOSE: Sir, I have just one submission to make. I quite agree with you that the honourable members should not go on discussing at length on subjects which are not covered in the Bill itself, but you also said, Sir, that the discussion must be within the scope of the Bill, and you enunciated a formula to determine as to what the scope of the Bill should be, and if you follow that definition then it can probably be demanded as a right by a member to discuss the provisions in a Bill like this which are not covered by the clauses that appear in the Bill that is presented before the House.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Can that be relevant?

Sj. SIBNATH BANERJEE: In section 18, for instance, Government and the Cabinet may come to grief. I think it is fair to give them this warning "well. there is a danger, my dear boys; please look ahead". If we do not do it, then we shall not be fair to ourselves or to this House. Regarding the amendments we shall discuss them whether they are relevant or not when they will come up.

Mr. SPEAKER: Mr. Banerjee, I think I should read out the ruling of Sir Azizul Haque for your satisfaction. It was given on a previous occasion and it is a very big ruling. I will read only a few lines from that. I think that will satisfy you. He said "in considering whether an amendment is in order the tests are that it must be relevant to and within the scope of the question to which it is proposed". Both these tests must be satisfied.

Sj. BIMAL COMAR GHOSE: That is about amendment.

Mr. SPEAKER: If a subject can be introduced in a general discussion, the same principle will apply to amendments also. You cannot discuss a subject unless it is relevant to the Bill. Similarly, you cannot move an amendment unless and until it is relevant to the same. Therefore the principle which governs the amendment also governs the discussion, and you will agree with me that no discussion which is irrelevant can be allowed in respect of a Bill. If an amendment cannot be moved, no discussion on the subject-matter relating to it can also be allowed.

Sj. BIMAL COMAR GHOSE: Then it follows that if an amendment can be moved, then the subject can be discussed and is relevant for the purpose of discussion.

Mr. SPEAKER: Yes, an amendment can be moved and a discussion is allowed only when it is relevant to the clause which it wants to amend. But if an amendment is out of order, certainly the discussion on it is also out of order. As a matter of fact, it is based on a salutary principle and any departure from that principle may throw the entire body of laws into jeopardy. I am only concerned with this fact that all amendments and all speeches must be relevant to the subject-matter which is before the House. Therefore I feel that your discussion should be confined within the scope of the Bill, but I may allow you to refer to certain other sections simply for the information of the Government if you want to—though strictly speaking that may not be quite relevant.

Sj. SIBNATH BANERJEE: আমি আর দু'একটা কথাই বলবো। বেশী time নেবোনা। Non-collection of rent সম্বন্ধে বলা হয়েছে তাতে সেই rent যদি না দেন তাহলে তাঁকে eject করা যাবে। তারপর rent exorbitant হয়েছে। সে সম্বন্ধে Rent Controller difficulty create করছে। এই জিনিষটা হচ্ছে ঠিক যেন তর্কশাস্ত্রের মত—বীজ আগে না গাছ আগে--যে Corporation tax basisএ rent হবে না valuation basisএ tax হবে। হাওড়া Municipality চেষ্টা করছে tax বাড়াবার জন্য rent basisএ। দু'টাই সঙ্গে সঙ্গে এগিয়ে যাচ্ছে। মাঝখান থেকে মারা যাচ্ছে Tenantরা। ভাড়াও বাড়ছে Taxও বাড়ছে। বাড়ীওয়ালার কোন ক্ষতি হচ্ছে না। He is a gainer কারণ Tax ২০ টাকা থেকে বেড়ে ৫০৲ টাকা হয়েছে কিন্তু একটার সঙ্গে আর একটার relation কোথায় থাকবে সেটাই মুসকিল। এখানে একটা principle থাকা দরকার। এখানে হয়তো পোদ্দারমহাশয় বলবেন যে কাঠা তিনি ১০ হাজার টাকায় কিনেছেন। সুতরাং এত feet হলে এইরকম ভাড়া হবে। মোটের উপর tenantএর অবস্থা ক্রমশই সঙ্গিন হয়ে উঠছে। আমি বলছি, যে tax আছে সেই basisএই rent হোক। এবং তা দেওয়াও অনেকের পক্ষে মুশকিল হবে। তা ছাড়া আমি বলছিনা যে tax বাড়ান হবে না। হাওড়া Municipalityতে Valuationএর উপর থেকে যে resonable rent আছে তাতে আজকের চেয়ে অনেক বেশী পাওয়া যাবে। হাওড়ায় দুই বৎসর আগে ২৫ লক্ষ টাকা ছিল, দুই বৎসর চেষ্টার পর ৪২ লক্ষ টাকা হয়েছে। Tax বাড়ানর দরকার এবং tenantরাই এই tax দেবে। সুতরাং আমি বলতে চাই যে হাঁসটা golden egg দেবে তাকে মেরে ফেলবেন না। এই কথা বলে আমি শেষ করচি।

The motion of the Hon'ble Rai Harendra Nath Chaudhuri that the West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Sj. SIBNATH BANERJEE: Sir, I am not asking for an explanation as to why these amendments on clauses 2A, 3A, 3B and 3C are not in order. One eminent parliamentarian Mr. Munroe once said, when asked,

"How shall I know all the rules and regulations",—"Go and make the mistakes and you will know." Sir, will you kindly let us know why our amendments are out of order so that we may learn, and there will be a saving of a lot of time, waste of paper and cyclostyled work.

Mr. SPEAKER: I wish to tell you of one difficulty. These amendments have been handed over at about 2 or 2-30. I have had no opportunity to look into these amendments and to consider them. So, I think it would be better if we adjourn for 10 or 15 minutes.

Sj. SIBNATH BANERJEE: That is a very good suggestion, but instead of 15 minutes, let it be 25 minutes.

Mr. SPEAKER: The House stands adjourned and will sit again at 5-45 p.m.

(The House was accordingly adjourned till 5-45 p.m.)

(After adjournment.)

Sj. SIBNATH BANERJEE: Mr. Speaker, before you give your ruling on this clause—

Mr. SPEAKER: Which clause are you discussing?

Sj. SIBNATH BANERJEE: New clause 2A where there has been an increase in the municipal rates. My submission is this that the original clause 9(*b*) which I want to be substituted does not make any meaning to me.

Dictionary দেখেও তার মানে প্রণিধান করতে পারছি না। আপনি দয়া করে পড়ে দেখুন তার কোন মানেই করা যায় না। Chief Minister মহাশয় তিনি পড়লেই দেখবেন যে কোন মানে হয় না। সুতরাং draftingটা বদলে ফেলুন।

The Hon'ble Dr. BIDHAN CHANDRA ROY : আমি ত অর্ব্বাচিন।

Sj. SIBNATH BANERJEE : এটা আজকেই বদলে ফেলুন। তাছাড়া Chief Ministerএরত offer রয়েছেই পরে করা যাবে।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: After all, that provision has not been thrown open under the new amending Bill.

Mr. SPEAKER: What about amendment No. 5AAA?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I believe 5AAA is out of order. 3A has also been declared out of order, I believe. About 5AA, I think that is outside the scope of the Bill.

Sj. BIMAL COMAR GHOSE: On a point of order, Sir.

Mr. SPEAKER: On which clause?

Sj. BIMAL COMAR GHOSE: On the rejection by you of an amendment on the ground that it is a new clause and does not come within the scope of the Bill. Is that the ground? I am referring to amendment No. 5AAA.

Mr. SPEAKER: You cannot discuss that. That has been finished.

Sj. BIMAL COMAR GHOSE: I did not know. First, I want to ascertain if you are refusing permission on the ground that it is not an amendment to a clause appearing in the Bill which is before us. Is that the ground?

Mr. SPEAKER: Yes.

Sj. BIMAL COMAR GHOSE: If that is the ground, then I have certain submissions to make. This Bill which is before the House at the moment is for the amendment of a certain Act and as to whether amendments could be allowed or not to particular Bills was discussed in the ruling to which you have referred and which said that the scope of a Bill has to be determined, in deciding whether amendments are in order, with reference to the preamble and its aims and objects and the citations of the provisions in the Bill itself.

Now, with regard to this point, the preamble of the Bill is this: Whereas it is expedient to amend the West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Act, 1950. The aims and objects of the Bill—not the Statement of Objects and Reasons which is a different thing, here it is stated as the aims and objects of the Bill which I should think is something different from the Statement of Objects and Reasons which is appended to the Bill—is to amend the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950. The citation is to amend the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: That is not the citation.

Sj. BIMAL COMAR GHOSE: What is the citation?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Citation means provisions in the Bill.

Sj. BIMAL COMAR GHOSE: Wherever a Bill is called, we find that one of the officers of the Assembly Department reads out certain portion which I understood to be the citation of a Bill. That is, to amend the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950. I stand open to correction if I am wrong, but that is my impression.

Now, Sir, the Statement of Objects and Reasons, I submit, is entirely different. What is stated in Sir Muhammad Azizul Haque's ruling is "aims and objects". He does not mention the Statement of Objects and Reasons in the categories that are mentioned in his ruling. Then he goes on to say at page 156 of the "Decisions of Speakers"—which you have very kindly circulated—that "If a Bill has an 'open' preamble, i.e., if it amends an Act without any reservation, e.g., Whereas it is expendient to amend, etc., amendments to all the sections of the Act will be generally within the scope of the Bill. It would throw the whole law into the crucible, expose to amendment, not merely the particular provisions which the introducer of the Bill desires to alter, but all other provisions of the law which appear to be in any way open to criticism."

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Continue—why discontinue?

Sj. BIMAL COMAR GHOSE: I was just saving time. If you want me to read, I have no objection. "On the other hand, if a Bill has a 'closed preamble'"—and I submit that this is a Bill which has not a "closed preamble"—"viz., the Bill seeks to amend only certain sections of an Act or an Act in any particular manner"—which is not mentioned here, I submit, because it says if that was the intention, it might have mentioned "as hereinafter provided" or something of the sort. It does not mention that. It just says "Whereas it is expedient.....It is hereby enacted as follows:—" and it is not circumscribed in any way. I am making my submission that the preamble is in no way circumscribed. It is for you to decide whether it is correct or not.

Then in the same decision at page 159 it is said "The general principle is that amendments must be relevant to the question upon which they are moved. It follows from the nature of an amendment that its contents ought to have some bearing upon the subject introduced by the principal motion..." What is the principal motion? The principal motion is the consideration of this Bill. And what is the Bill? The Bill, as it is in the preamble, is that it is expedient to amend the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950. That is the principal motion which is before the House and the amendment sought to be moved is, also, I submit, a valid amendment, because the principal motion is such that the whole Act has been thrown open for consideration. Amendment to any provision of the original Act is relevant.

Then, at page 161, towards the end it is stated: "Once a Bill is...in a particular form before the legislature, it is a salutary principle that there is no intention to make any alteration in the laws beyond what is explicitly declared, either in express terms or by clear implication. In other words, a Bill must for the time stand by its immediate scope and object and all other matters outside these limits must remain undisturbed..." I submit, Sir, as I have said so many times, that if it was circumscribed we could not have gone outside those objects stated or outside the limits provided in the Bill itself. But since it has not been circumscribed, therefore these amendments are within the purview of the Bill. Whatever has been stated in Sir Azizul Haque's ruling, I believe, supports my contention that it is quite reasonable and it is quite within our competence to move any amendment to any of the clauses of the Act.

Then, Sir, I have another submission to make. I have stated that "the aims and objects" is not the same thing as "statement of objects and reasons". That is my first contention. Even if you consider that aims and objects do mean the same thing as objects and reasons appended to the Bill, then I submit that if that were your contention which I hold in the first instance to be not correct, there is a dispute as between the preamble and the statement of objects and reasons, and also a dispute between aims and objects and statement of objects and reasons. If there is a conflict between the two, how shall we be guided? I submit, Sir, that the statement of objects and reasons is not any part of the Bill. What is an integral part of the Bill is the preamble, and therefore, so far as this House is concerned, we should be guided by the preamble and not by the statement of objects and reasons which merely states the purpose for which the Bill has been brought by the Government and really is not an essential part of the Bill. Although a statement may be appended to the Bill, what the Government say in the statement is not final. The final thing is the preamble, and I submit, Sir, that the preamble is formed in such open fashion that any amendment to the original provisions of the Act should be permitted. These are my submissions.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Mr. Speaker. Sir, the ruling referred to by you which was given by Sir Azizul Haque clearly states that the scope of a Bill has to be determined with reference to its preamble, its aims and objects and its specific provisions.

First of all, let us see what is stated as the substance of the ruling at page 16. Sir, I am quoting first from page 16 and subsequently I shall quote from page 157 of the hand-book of rulings to which Mr. Ghose has referred. Now, Sir, at page 16 it is stated: "The scope of a Bill has to be determined with reference to its preamble and its aims and objects and with due regard to citations and provisions in the Bill itself. It is on consideration of these three together but not taking any one in isolation that an amendment relating to the scope of a Bill has to be scrutinised."

That is how the ruling has been stated here in our Departmental handbook. Then let me refer to the ruling itself. What does the phrase "aims and objects" mean? Sj. Bimal Ghose would try to make it out that aims and objects of a Bill is something different from what is given in the statement of objects and reasons. That is not correct. On page 156 you will find that the reference has been made not to "aims and objects" but to the statement of objects and reasons. Let me read out the very portion which he was going to omit but which later on he had to read out on request. "On the other hand, if a Bill has a 'closed preamble', viz., the Bill seeks to amend only certain sections of an Act or an Act in any particular manner (e.g., Whereas it is expedient to amend—Act, in the manner hereinafter appearing) amendments to other sections of the Act, due regard being paid to the preamble, the Statement of Objects and Reasons, the citations of the Bill will be out of order." Firstly, when a Bill has a closed preamble then other amendments, which are beyond the scope of the Bill as indicated by the preamble will be out of order. Now, what is meant by "closed preamble"? Let us scrutinise that. A closed preamble does not mean that in every case the words "in the manner hereinafter appearing" must occur in the preamble. That is simply the usual delimiting formula but not an indispensible phrase. A closed preamble means a preamble to a Bill which indicates that the Bill seeks to amend only certain portions of an Act.

SJ. BIMAL COMAR GHOSE: What is an open preamble?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: That has also been explained. A Bill has an open preamble if it seeks to amend an Act without any reservation. Here, Sir, the Act is not going to be amended without any reservation whatsoever. It is particularly stated in the Bill that only three sections are going to be amended, and the Statement of Objects and Reasons also refer to those sections and those sections only. Therefore it is a Bill with a closed preamble. It does not necessarily mean that unless the words "in the manner hereinafter appearing" are there, a preamble will be regarded as an open preamble. That is not so. A Bill, if it seeks to amend certain sections as this Bill proposes to do, is a Bill with a closed preamble, and therefore I submit that it is a Bill with a closed preamble, and amendments can be given only to the provisions of the Bill. One cannot travel beyond the particular provisions of the Bill and beyond the limited objects and reasons, where the limitations are clear and interpret the preamble as an open preamble simply because the words "in the manner hereinafter appearing" do not appear in the preamble.

Mr. SPEAKER: With regard to the point raised by Mr. Bimal Ghose and what has been stated by the Hon'ble Rai Harendra Nath Chaudhuri, I feel that the preamble is not happily worded, because there are no restrictive words with regard to amendments. In deciding however as to whether the preamble alone is to be considered or something else should also be considered I feel that the ruling of this House given before on page 16 of this book by Sir Azizul Haque clearly shows that it is by consideration of these three together but not taking anyone in isolation that an amendment relating to the scope of a Bill has to be scrutinised. Therefore in considering whether amendments on other clauses of the Bill are in order or out of order, we have to consider not only the Preamble but the Statement of Objects and Reasons and also the provisions of the Bill itself. So far as the courts are concerned, they do not look to the Statement of Objects and Reasons, they look only to the Preamble. So far as this House is concerned, the Statement of Objects and Reasons is a part and parcel of the Bill at the stage at which it is to be considered by the House. The Bills which are before the House always contain the Statement of Objects and Reasons and the House has to consider the same. I have already stated that so far as the Preamble

is concerned, it is badly worded; there should have been some restrictive words in this Preamble. When I, however, refer to the Statement of Objects and Reasons, a perusal thereof shows that the object of the Bill is defined therein and in the end of the Statement of Objects and Reasons it is stated that the Bill has been framed with these objects in view, and these objects have been defined in the previous two paragraphs of the Statement of Objects and Reasons. One of the reasons has been stated to be the judgment of the Calcutta High Court on the interpretation of section 18, and this Bill proposes to amend that section, and the next amendment which is proposed is with regard to section 9(*1*)(*f*) regarding the new houses. And, as I have stated before, at the end of the Statement of Objects and Reasons, it is stated that the Bill has been framed with these objects in view, I feel that considering the objects and reasons, the Bill has a limited objective. When I refer to clause 6, I find that that clause related to section 18 and section 9 and also to section 2 which is rather incidental to the other two sections. Therefore if we apply the standard given by the ruling referred to above that one of these things should be not looked at and we should look to these three things, it appears that there is a restricted object of the Bill. Of course, as I have already stated, the Preamble is badly worded, and as a matter of fact, in English Acts the Preamble is absolutely omitted save and except in very rare cases. I have tried to follow the rulings given by my predecessors, so far as this House is concerned. I, however, reserve my judgment for a later occasion to give a more considered view on the object after having considered all the rulings.

Sj. SIBNATH BANERJEE: Sir, what is the position of my amendment No. 5AAAA?

Mr. SPEAKER: It is in order because it relates to section 18.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I want to have it cleared from Mr. Sibnath Banerjee whether he is going to move his new amendment No. 5AAAA relating to section 18.

Mr. SPEAKER: He can move his amendment.

Sj. SIBNATH BANERJEE: Sir, I beg to move that—

(*1*) In section 18(*1*) of the Act, in line 5, after the figures "1948" the following be inserted, namely:—

> "or on the ground of default under the Calcutta Rent Ordinance, 1946, or under the Calcutta House Rent Control Order, 1943, or the Bengal House Rent Control Order, 1942, or on the ground that the interest of the tenant in such premises has been determined *ipso facto* under the provisions of sub-section (*3*) of section 12 of the West Bengal Premises Rent Control (Temporary Provisions) Act, 1948," and

(*2*) After sub-section (*5*) of section 18 of the Act the following new sub-section be added, namely:—

> "(*6*) Any sub-tenant in the premises at any stage of the suit or proceedings for ejectment on the ground of default in respect of the premises whether he is a party to the suit or proceedings or not, may deposit the decretal amount with costs and costs of proceedings, if any, and this being done, the decree should be set aside. Such sub-tenant shall be entitled to deduct the amount from the arrears of rent due to his outgoing landlord or can recover it by any other means."

Sj. SIBNATH BANERJEE: Sir, I also want to move my amendment No. 5AAAAA.

Sir, I beg to move that the following new section be inserted——

The Hon'ble Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir, I submit that this amendment does not relate to the provisions of the Bill but rather goes beyond the provisions of the Bill, and therefore it is out of order. Section 18 does not refer at all to the possession by landlord: it deals with the power of the court to order the tenant to pay his arrears and give relief in certain decreed and pending cases. That is the scope of section 18. It goes beyond the provision of section 18 and therefore, Sir, I submit that simply because Sri Sibnath Banerjee has marked his amendment as 18A it is not to be deemed a regular amendment nor does it come within the scope of the provision of section 18.

Mr. SPEAKER: Then I understand your objection is to 5 and 5A to new clause 3D?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Yes, to clause 3D, no objection to clause 3C.

Mr. SPEAKER: I see your objection is to clause 3D; in the meantime Mr. Banerjee will go on with clause 3C and let me consider clause 3D whether it is in order or is out of order.

Sj. SIBNATH BANERJEE: After the offer of the Chief Minister that he is prepared to meet me and some other experts on this side and the other side I do not want to inflict a long speech on you or the Chief Minister. I shall be very brief. The position is this, that under section 18 Government found that the public are not protected against cases from 1948—till this Ordinance or this Act they are not protected. So they are trying to protect only up to 1948. I want to go a little further. For instance, the several control orders—Calcutta Rent Ordinance, 1946, House Rent Control Order, 1943, Bengal House Rent Control Order of 1942—these are also there. Because of them some cases are still pending. I want relief to be given to them also. I want relief to be given to those people also who are liable to ejectment because of the cases pending since 1942. They should get the benefit of this Act which the Government is trying to give to those up to 1948. That is the first part.

As regards the second part, I have already spoken on the subject that the sub-tenant is not protected. He finds himself all on a sudden on the street. Please try to protect the interest of the sub-tenant, of course, when he pays the decretal amount and if there be any case where he pays that he should be protected. That is my amendment. It is a very simple amendment and I do not want to deliver a long speech.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, as I observed last night it is our misfortune that Sri Sibnath Banerjee always comes forward with his amendments without reading the Act itself. Had he taken the trouble to go through the provisions of the Act I think he would have been better informed and persuaded not to move his amendments at all. These amendments are all misconceived. In the first portion of his amendment he refers to the Rent Control Ordinance of 1946 or Calcutta House Rent Control Order of 1943 or the Bengal House Rent Control Order of 1942 and argues on the ground of *ipso facto* determination of tenancy such as three months' defaulters suffer under the provisions of sub-section (*3*) of section 12 of the Act of 1948. Now, Sir, there is no provision in any of these Ordinances or orders to which reference has been made by him for any *ipso facto* determination of tenancy as there is in section 12(*3*) of the Act

of 1948. He is not aware of the provisions of the previous Ordinances and orders and therefore he has referred to all these previous legislations. The provision for *ipso facto* determination of tenancy for non-payment of rent for three month occurs only in the Act of 1948 and therefore the Gupta Committee recommended that section 18 should be framed to give relief to those tenants who lost their tenancy under the operation of section 12(*3*) of the Act of 1948. It was to give relief to that particular class of tenants that the Gupta Committee recommended the insertion of section 18. Therefore so far as the first part of Sj. Banerjee's motion is concerned that is misconceived, I should say.

As regards the second part, he says he is afraid because a decree may be passed against a tenant affecting the interest of the sub-tenant.....

Mr. SPEAKER: Please do not refer to Gupta Committee Report because that is not available to the House. If the document is not available to the members, you should not refer to it.

The Hon'ble Rai HARENDRA NATH CHAUDHURY: Very well, Sir.

Sj. SIBNATH BANERJEE: Rai Chaudhuri Committee will do.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: When time comes Rai Chaudhuri Committee will do what more may be necessary. I am here to take that responsibility, whether Mr. Sibnath Banerjee likes it or not.

Now, Sir, with reference to the latter part of his motion, I beg to submit that also is misconceived, because he is afraid that if a decree be passed against the tenant, then the sub-tenant then and there goes out, he has no protection. But that is not the case. If he refers to section 13(*2*) he will find that sub-tenants are duly protected under the provision of 13(*2*) which says, "Where any premises or any part thereof have been or has been sub-let by 'a tenant of the first dagree' or by 'a tenant inferior to a tenant of the first degree', as defined in explanation to sub-section (*1*), and the sub-lease is binding on the landlord of such tenant, and the tenancy of such tenant in either case is lawfully determined....., the sub-lessee shall be deemed to be a tenant in respect of such premises or part, as the case may be, holding directly under the landlord of the tenant whose tenancy has been determined.....etc.". Therefore the sub-tenant is duly protected even when a decree is obtained against the tenant and the execution of the decree is effected. Therefore his solicitude for the sub-tenant as evinced in the latter part of the motion is altogether misplaced and superfluous.

Janab MUDASSIR HOSSAIN: Mr. Speaker, Sir, in the case referred to by the Hon'ble Minister I mean to point out that if the sub-lease was given with the consent of the original owner by the tenant,—that is what is meant in that section—but my friend refers to all kinds of sub-tenants whether lease was given to them with the consent of the owner or without such consent. If consent was not given he will be liable to be evicted. What my friend Mr. Sibnath Banerjee means to say is even that class of sub-tenants who were not given lease or settled without the consent of the owner should be protected. That is what he means perhaps.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, I did not want to elaborate my argument. I simply read the amendment and——

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Can he have a second speech?

Mr. SPEAKER: He is the mover of the amendment.

Sj. SIBNATH BANERJEE: I only placed the amendment and had not dealt with the implication. If I knew that the Minister was going to raise his objections I would have been more elaborate. May I do so now?

The Hon'ble Dr. BIDHAN CHANDRA ROY: If he is going to meet me as he says he is going to do, there is no point in discussing the subject.

Sj. SIBNATH BANERJEE: The offer was there.

Mr. SPEAKER: The offer is still there.

Sj. SIBNATH BANERJEE: But if any comment is made which is adverse to my interest or the interest of the tenants, then I think it is very unfair. I did not give any argument but I feel that up to 1948 tenants are protected, beyond that they are not protected—that is all I have said. I hope and I am sure he will be there when we discuss it either at Dr. Roy's place or in Writers' Buildings and he could have said it there. If he prolongs discussion, I am bound to justify. Otherwise I am content to leave it at that.

Mr. SPEAKER: If a member moves a motion it is his choice to speak as much as he likes. Similarly, those who oppose the motion have the same choice. So far as you are concerned, you can move your amendment, and I will not preclude you from speaking if you so desire. I would simply request you to be very brief. You have got the offer of the Leader of the House. You will not be prejudiced by the speech of the Hon'ble Minister.

Sj. SIBNATH BANERJEE: All right, Sir.

The motion of Sj. Sibnath Banerjee that—

(*1*) In section 18(*1*) of the Act, in line 5, after the figures "1948" the following be inserted, namely:—

> "or on the ground of default under the Calcutta Rent Ordinance 1946, or under the Calcutta House Rent Control Order, 1943 or the the Bengal House Rent Control Order, 1942 or on the ground that the interest of the tenant in such premises has been determined *ipso facto* under the provisions of sub-section (*3*) of section 12 of the West Bengal Premises Rent Control (Temporary Provisions) Act, 1948," and

(*2*) After sub-section (*5*) of section 18 of the Act the following new sub-section be added, namely:—

> "(6) Any sub-tenant in the premises at any stage of the suit or proceedings for ejectment on the ground of default in respect of the premises whether he is a party to the suit or proceedings or not, may deposit the decretal amount with costs and costs of proceedings, if any, and this being done, the decree should be set aside. Such sub-tenant shall be entitled to deduct the amount from the arrears of rent due to his outgoing landlord or can recover it by any other means",

was then put and lost.

Mr. SPEAKER: We will now revert to the new amendment No. 5AAAAA. I am not inclined to rule it out, because section 18 provides for cases in which decree has been passed but possession has not been recovered. This amendment seeks to widen the scope of this particular section by giving relief even in those cases in which decree has been passed and possession has also been delivered. Therefore I am not inclined to hold that

the amendment is out of order. It is also one of the principles that wherever an amendment has been moved in which there is doubt, it should be exercised in favour of the amendment being allowed instead of ruling it out. Therefore I allow Mr. Sibnath Banerjee to move this amendment.

Sj. SIBNATH BANERJEE: Sir, I beg to move that the following new section be inserted after section 18 of the Act, namely:—

"18A. Where the possession of any premises has been obtained by the landlord by virtue of a decree for ejectment on the ground of default or *ipso facto* determination between the date of passing of the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950, and this Act, the ejected tenant may within 30 days of the passing of this Act, apply to the court for restoration of possession of the premises and the court will allow the application and put the tenant in possession if the tenant deposits all decretal amount with costs and costs of proceedings of ejectment and rent up to the time of ejectment."

The motion was then put and lost.

Clause 4.

The question that clause 4 do stand part of the Bill, was then put and agreed to.

Clause 5

The question that clause 5 do stand part of the Bill, was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill, was then put and agreed to.

Preamble.

Sj. SIBNATH BANERJEE: You observed, Sir, that it was not happily worded. I do not know whether the unhappiness can be removed here and now. If it can be done, let it be done now. Otherwise, it can be done in a subsequent amendment.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have taken note of what you have said.

The question that the Preamble do stand part of the Bill, was then put and agreed to.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that the West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950, as settled in the Assembly, be passed.

Sj. SIBNATH BANERJEE : বাংলা দেশে একটা কথা সাধারণত বলা হয়, সবই আছে যা কিছু অভাব তা অন্ন-বস্ত্রের। অন্নই আগে দরকার, বস্ত্র তার পরে বলা যেতে পারে। আমি বলি তা নয়। বস্ত্রের চেয়ে বেশী দরকার হচ্ছে ঘর। দুর্ভিক্ষের সময় আপনারা জানেন, আমরা বৃটিশকে খুব গালাগালি করেছি। এক একটা পরিবারের ৩।৪ জন লোক বস্ত্র নাই বলে মশারী, ছেড়া ক্যাথা দিয়ে লজ্জা নিবারণ করছে। কাপড় Secondary নয় third বলা যেতে পারে, ঘর হচ্ছে 2nd। অন্নের পরেই এই সমস্যা সমাধানের চেষ্টা হচ্ছে এবং এই চেষ্টায় Government earnestness দেখাচ্ছেন। সুতরাং Chief Ministerকে তার এই offerএর জন্য ধন্যবাদ জানাচ্ছি কারণ যে expertদের নিয়ে একত্র বসে আলোচনা করতে রাজী হয়েছেন। এই বিলে যে সমস্ত গলদ রয়েছে তা দূর করবার জন্যে। তাই আমি whole hearted support জানাচ্ছি।

The motion of the Hon'ble Rai Harendra Nath Chaudhuri that the West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, *1950*, as settled in the Assembly, be passed, was then put and agreed to.

The Contingency Fund of West Bengal Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the Contingency Fund of West Bengal Bill, 1950.

(The Secretary read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Contingency Fund of West Bengal Bill, 1950, be taken into consideration.

Sir, members will recall that when they were passing the supplementary estimates under Grant No. 39A—Transfer to Contingency Fund of West Bengal, a grant was provided for Rs. 50,00,000. This was occasioned by the fact that under the new Constitution we have been following the precedent allowed by the Mother of Parliaments. Under Article 266 of the Constitution all revenues received, all loans raised and all moneys received in repayment of loans shall form one consolidated fund and under Articles 204 and 205 no money should be withdrawn except under Appropriation made by law and passed by the Legislature. The Contingency Fund is a part of a scheme of parliamentary control over expenditure. In the House of Commons they set apart certain sum of money called the contingency amount for emergent expenditure not provided under any head of the original budget estimates or of supplementary estimates. Sir, with these words I move that the Contingency Fund of West Bengal Bill, 1950, be taken into consideration.

The motion was put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the Contingency Fund of West Bengal Bill, 1950, as settled in the Assembly, be passed.

The motion was put and agreed to.

The West Bengal Appropriation (No. 2) Bill, 1950.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the West Bengal Appropriation (No. 2) Bill, 1950.

(The Secretary read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Appropriation (No. 2) Bill, 1950, be taken into consideration.

Sir, under the provisions of the new Constitution all grants including supplementary grants voted by the Assembly for a financial year together with all items of charged expenditure have to be included in a schedule to be authenticated by the Governor and then laid before the Assembly. The Schedule was not open to discussion or vote and provide necessary authority for expenditure voted by the Assembly. Under section 266(3), as I have just indicated, a consolidated fund of the State has to be provided and no money can be appropriated except in accordance with law passed under Article 204. In the last budget session members will recollect that this House passed the Bengal Appropriation Bill, 1950, to provide for appropriation out of the consolidated fund of West Bengal money required against the grants made by the Assembly for the year 1950–51. During the present session the Assembly voted certain supplementary grants for the same purposes for the year 1950-51 under the provision of Article 206 of the Constitution. The present Bill is accordingly being introduced under Article 204 read with Article 205 to provide for appropriation out of the consolidated fund of West Bengal all moneys required to make good supplementary grants which have been so voted by the Assembly and to meet the supplementary expenditure charged on the consolidated fund of the State. In accordance with the provisions of the new Constitution the amounts included in the Bill on account of the charged expenditure do not in any case exceed the amounts shown in the schedule. In pursuance of Article 206(*1*) of the Constitution of India the Bill merely proposes to appropriate money to make good the supplementary grants already sanctioned by the House. The total amount proposed to be appropriated by this Bill for expenditure for 1950-51 is Rs. 3,93,89,000 and the amount includes Rs. 17,11,000 on account of charged expenditure. The details of the proposed appropriation will appear from the schedule of the Bill. With these words, Sir, I commend my motion for the consideration of the House.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Schedule.

The question that the schedule do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Appropriation (No. 2) Bill, 1950, as settled in the Assembly, be passed.

The motion was put and agreed to.

The Calcutta Improvement (Amendment) Amending Bill, 1950.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the Calcutta Improvement (Amendment) Amending Bill, 1950.

(The Secretary read the short title of the Bill.)

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the Calcutta Improvement (Amendment) Amending Bill, 1950, be taken into consideration.

Sir, sub-section (3) of section 1 of the Calcutta Improvement (Amendment) Act, 1948, being obsolete due to the efflux of time; this Bill seeks to delete it. Therefore this Bill has been brought.

The motion was put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the Calcutta Improvement (Amendment) Amending Bill, 1950, as settled in the Assembly, be passed.

The motion was put and agreed to.

The Calcutta Improvement (Amendment) Bill, 1950.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the Calcutta Improvement (Amendment) Bill, 1950.

(The Secretary then read the short title of the Bill.)

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the Calcutta Improvement (Amendment) Bill, 1950, be taken into consideration.

Sir, this Bill seeks to make a consequential change in the provisions of the Calcutta Improvement Act of 1911 due to the changes in the Calcutta Municipal Act, 1923, effected in the last session of the Assembly.

Sj. SIBNATH BANERJEE : এটার আমি আপত্তি জানাচ্ছি। শুধু কলকাতার হচ্ছে, হাওড়ার কথা ভুলেই যাচ্ছেন। কলকাতায় improvemeat হয়েছে তারপরে সেই Improvement Trust Actএর amendment হল কিন্তু হাওড়ার কথা ভুলেই যাচ্ছেন।

The motion of the Hon'ble Jadabendra Nath Panja that the Calcutta Improvement (Amendment) Bill, 1950, be taken into consideration was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the Calcutta Improvement (Amendment) Bill, 1950, as settled in the Assembly, be passed.

The motion was then put and agreed to.

Mr. SPEAKER: This finishes the session's business.

Prorogation.

Mr. SPEAKER: I have it in command from His Excellency the Governor of West Bengal that the West Bengal Legislative Assembly do now stand prorogued.

WBGP-51/2-21A-350

Index to the

West Bengal Legislative Assembly Proceedings

(Official Report)

Vol. II—Second Session (September), 1950

(From 25th September to 6th October, 1950)

The 25th, 26th, 27th, 28th and 29th September and 3rd, 4th, 5th and 6th October, 1950

[(Q.) Stands for question]

Abul Hashem, Janab—

Allegation against Sj. Tarak Nath Mitra, witness in the case Emperor versus Wasil Khan and others: (Q.) p. 103.

Damodar Press, Burdwan: (Q.) p. 190.

Sj Himansu Kumar Gupta, Inspector of Police, Calcutta (Q.) pp. 100-101.

Alipur Duars, Jalpaiguri—

Establishment of a municipality at—: (Q.) p 152.

Allegation against—

Sj. Tarak Nath Mitra, witness in the case Emperor *versus* Wasil Khan and others (Q.) p 103.

Alleged Police assault—

On Shri Dayaram Beri, Vice-President, I.N.T.U.C.. (Q.) pp. 181-82.

Amendments to the motion—

For an Address in reply to the Governor's speech pp. 11, 70-92.

Answering questions while—

Sitting: pp. 249-50.

Application for leave—

Of absence from Shri Jyoti Basu: p. 117.

Appointment—

Of the Assistant Commandant at Kanchrapara Training Camp of West Bengal National Volunteer Force: (Q.) p. 113.

Of Srijukta Mitra to act as Chief Inspector for Women's Education, West Bengal: (Q.) pp. 145-49.

Arrest—

Of G. C. Ghosh Choudhury, Assistant Station Master, Katwa: (Q.) p. 101.

Of Sj. Jyoti Basu. p. 1.

Of persons for postering for a proposed public meeting at Sradhananda Park, Calcutta: (Q.) p. 247.

Assault on Shri Dayaram Beri—

Alleged Police—, Vice-President, I.N.T.U.C.: (Q.) pp. 181-82.

Assistant Station Master, Katwa—

Arrest of G. C. Ghosh Choudhury, —: (Q.) p. 101.

Attendance—

Of Sj. Jyoti Basu, in detention: pp. 97-98.

Badrudduja, Janab Syed—

Amendments to the motion for an address in reply to the Governor's speech: pp. 13, 50-54, 55-57, 91-92.

The Criminal Procedure (West Bengal Amendment) Bill, 1950: p. 208.

General discussion of the Supplementary Estimate for 1950-51. pp. 165-70.

Memorandum to the Hon'ble Prime Minister of India by the Joint Secretary, Sunderban Praja Mangal Samity: (Q.) p. 290.

On the point raised by Janab Md. Khuda Bukhsh objecting to the Chief Minister answering questions sitting: pp. 249-50.

Statement by—regarding food crisis in Berhampore, Murshidabad: pp. 252-54.

The West Bengal Security (Amendment) Bill, 1950: pp. 270, 276-77.

Banerjee, Sj. Sibnath—

Amendments to the motion for an address in reply to the Governor's speech: pp. 11, 13, 16-26, 43, 90-91.

Arrest of G. C. Ghosh Choudhury, Assistant Station Master, Katwa: (Q.) p. 101.

The Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950: pp. 303-304, 307.

The Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950: pp. 231-32, 261.

The Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950: pp. 227-28, 230.

Banerjee, Sj. Sibnath—*contd.*

Complaint of assault by Sudhansu Shekhar Mukherjee of 89A, Ballygunge Gardens, Calcutta: (Q.) p. 183.

The Cooch Behar (Assimilation of State Laws) Bill, 1950: pp. 217-19, 225-26.

Demand for Grant No. 40—Agriculture: pp. 192-93.

Demand for Grant No. 50—Civil Works and 81—Capital Account works outside the Revenue Account: pp. 197-98.

Demand for Grant No. 10—Forest: p. 175.

Demand for Grant No. 43—Industries—Cinchona: pp. 194-95.

Demand for Grant No. 7—Land Revenue: p. 173-74.

Demand for Grant "Loans and advance bearing interest": p. 204.

Demand for Grant No. 57—Miscellaneous—Expenditure on refugees: pp. 202-203.

Demand for Grant No. 57—Miscellaneous: pp. 200.

Demand for Grant No. 29—Police: pp. 177-79.

Demand for Grant No. 54A—Territorial and political pensions: pp. 199-200.

Externment of four workers of Kulti from four industrial districts (Q.) pp. 99-100.

The Indian Red Cross Society, (Bengal Branch) (Amendment) Bill, 1950: pp. 286-87.

The Legislative Assembly of West Bengal (Renewal of Disqualifications) Bill, 1950: pp. 123-24

Memorandum to the Hon'ble Prime Minister of India by the Joint Secretary, Sunderban Proja Mangal Samity: (Q.) pp. 288-89.

Motion for an Address in reply to the Governor's speech: pp. 7, 9-10.

On a member's request to speak when a motion is in the process of being put to vote: pp. 296-97.

On the Point of Order arising out of an Hon'ble Minister not answering certain supplementary questions: pp. 293-94.

Point of privilege raised by—for the allotment of non-official days: pp. 298-301.

Point of privilege requesting the Supply of the agenda for the day, questions and answers, etc., at the members houses in the morning: pp. 115-16.

Raising a point of privilege to request His Excellency to listen to the members' observations on His Excellency's speech: pp. 6-7.

Banerjee, Sj. Sibnath—*concld.*

Supplementary estimate for 1950-51, pp. 153-55, 157, 559-65, 167, 169-71.

The West Bengal Clinical Establishments Bill, 1950: p. 120.

The West Bengal Collective Fines Bill: p. 265.

The West Bengal Disturbances Commission of Enquiry Bill, 1950: pp. 130.

The West Bengal National Volunteer Force (Amendment) Bill, 1950: pp. 266-68.

The West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950: pp. 309-15, 319-23.

The West Bengal Prohibition of Smoking in Show Houses and Public Halls Bill, 1950: pp. 94-95, 118.

The West Bengal Security (Amendment) Bill, 1950: pp. 269-70, 273-76, 278-84.

Banerji, Dr. Suresh Chandra—

Amendments to the motion for an address in reply to the Governor's speech: pp. 11-12, 37-39, 89.

Banerjee, Sj. Susil Kumar—

The Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950: pp. 304-306.

The Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950: p. 260.

The Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950: p. 229.

The Cooch Behar (Assimilation of State Laws) Bill, 1950: pp. 211-12.

Motion for an address in reply to the Governor's speech: p. 7.

The West Bengal Clinical Establishments Bill, 1950: p. 121.

The West Bengal National Volunteer Force (Amendment) Bill, 1950: p. 267.

The West Bengal Prohibition of Smoking in Show Houses and Public Houses Bill, 1950: p. 117.

Bankura—

Political pensions granted to political sufferers of—district: (Q.) p. 288.

Small development projects recommended by the Development and Irrigation Board, —: (Q.) p. 234.

Baraset-Basirhat Light Railway: (Q.) p. 184.

Basirhat—

Director of Procurement Agents in—area: (Q.) p. 113.

Basu, Sj. Hemanta Kumar—

Resignation of—as a member of the West Bengal Legislative Assembly: p. 1.

Basu, Shri Jyoti—

Application for leave of absence from—: p. 117.

Arrest of—under the Preventive Detention Act of 1950: p. 1.

Receipt of a telegram from—in detention reuesting that he be allowed to attend the Assembly Session: p. 97.

Berhampore—

Incidents in—, Murshidabad, narrated by Janab Syed Badruduuza regarding foodgrains: pp. 252-54.

Bhandari, Sj. Charu Chandra—

Amendments to the motion for an address in reply to the Governor's speech: pp. 33-36.

General discussion of the supplementary estimate for 1950-51: pp. 155-56.

Bhattacharyya, Sj. Shyamapada—

Appointment of the Assistant Commandant at Kanchrapara Training Camp of West Bengal National Volunteer Force. (Q.) p. 113.

Motion for an address in reply to the Governor's speech pp. 7, 92.

Bhowmick, Srijukta Bina—

Amendments to the motion for an address reply to the Governor's speech. pp. 49-50.

Appointing of Srijukta Kalyani Mitra to act as Chief Inspector for Women's Education, West Bengal: (Q.) pp. 145-49.

Arrest of persons for postering for a proposed public meeting at Sradhananda Park, Calcutta. (Q.) p. 247.

Bill(s)—

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment)—, 1950: pp. 206-207.

The Bengal Electricity Duty (West Bengal Amendment)—, 1950: pp. 205-206.

The Bengal Finance (Sales Tax) (West Bengal Amendment)—, 1950: pp. 301-307.

The Calcutta Improvement (Amendment—, 1950: pp. 326-27.

The Calcutta Improvement (Amendment) Amending—, 1950: p. 326.

The Calcutta Municipal (Second Amendment)—, 1950: pp. 133-34.

The Bengal (Rural) Primary Education (West Bengal Amendment)—, 1950: pp. 230-33, 260-64.

Bill(s)—*concld.*

The Bengal Shops and Establishments (West Bengal Amendment)—, 1950: pp. 226-30.

The Contingency Fund of West Bengal—, 1950: p. 324.

The Cooch Behar (Assimilation of State Laws)—, 1950: pp. 210-26.

The Criminal Procedure (West Bengal Amendment)—, 1950: pp. 207-209.

The Criminal Procedure (West Bengal Second Amendment)—, 1950: pp. 209-10.

The Indian Red Cross Society (Bengal Branch) (Amendment)—, 1950: pp. 285-87.

The Legislative Assembly of West Bengal (Removal of Disqualifications)—, 1950: pp. 123-30.

The 24-Parganas District Board Dissolution (Temporary Provisions) (Second Amendment) Bill, 1950: p. 136.

The West Bengal Appropriation (No. 2)—, 1950: pp. 325-26.

The West Bengal Clinical Establishments—, 1950: pp. 119-22.

The West Bengal Collective Fines—, 1950: pp. 264-66.

The West Bengal Dental Board—, 1950: p. 122.

The West Bengal District Boards (Second Amendment)—, 1950: pp. 135-36.

The West Bengal Disturbances Commission of Enquiry—, 1950: pp. 130-31.

The West Bengal Fire Services (Amendment)—, 1950: p. 135.

The West Bengal National Volunteer Force (Amendment)—, 1950: pp. 266-68.

The West Bengal Premises Rent Control (Temporary Provisions) (Amendment)—, 1950: pp. 308-24.

The West Bengal Prohibition of Smoking in Show Houses and Public Halls—, 1950: pp. 94-95, 117-19.

The West Bengal Security (Amendment)—, 1950: pp. 268-85.

The West Dinajpur Union Boards—, 1950: pp. 134-35.

Brahmin, Sj. Ratanlal—

Takes oath: p. 1.

The West Bengal Security (Amendment) Bill, 1950: p. 271.

Chakravarty, Sj. Satish Chandra—

Newspapers publishing Government advertisements: (Q.) p. 246.

Sales tax assessment of Messrs. Keso ram Cotton Mills, Ltd.: (Q.) p 184.

Chaudhuri, The Hon'ble Rai Harendranath—

Appointment of Srijukta Kalyani Mitra to act as Chief Inspector for Women's Education, West Bengal: (Q.) pp. 146-49.

The Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950: pp. 230-33, 260, 263-64.

Dispersal scheme: (Q.) p. 239.

Ejectment suits instituted in the Rent Controller's Court, Calcutta: (Q.) pp. 151-52.

Market Fund, Jalpaiguri: (Q.) pp. 188-89.

Market places and Market Fund in the khas mahal area, Jalpaiguri district: (Q.) p. 251.

Memorandum to the Hon'ble Prime Minister of India by the Joint Secretary, Sundarban Praja Mangal Samity: (Q.) pp. 188, 289.

Objecting to the statement made by Janab Syed Badrudduza regarding food crisis in Berhampore, Murshidabad, without notice and without informing Government first: p. 253.

Supplementary estimate for 1950-51, Demand for Grant No. 7—Land Revenue: pp. 172-75.

Survey and settlement in connection with redistribution of boundaries in the district of Nadia: (Q.) p. 252.

The West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950: pp. 308-309, 313, 315-21, 323.

Chief Inspector for Women's Education, West Bengal—

Appointment of Srijukta Kalyani Mitra to act as—: (Q.) pp. 145-49.

Chief Minister (the Hon'ble Dr. Bidhan Chandra Roy)—

On the point of privilege raised by Sj. Bimal Comar Ghose regarding the shortness of time within which to put in amendments to the clauses of some important Bills which were being introduced at very short-notice in violation of the Assembly Procedure Rules: pp. 67-68.

Chinsura—

East India Electric Supply and Traction Co., —: (Q.) pp. 142-43.

Civil Medical Officer—

Complaint against the present—, Kurseong: (Q.) pp. 103-104.

Complaint of assault—

By Sudhanau Shekhar Mukherjee of 89A, Ballygunge Gardens, Calcutta: (Q.) p. 188.

Conservancy service—

And water-supply arrangements of the Hooghly-Chinsurah Municipality: (Q.) p. 139.

District Procurement Agents in Basirhat area: (Q.) p. 113.

Damodar Press, Burdwan: (Q.) p. 190.

Das Gupta, Sj. Khagendra Nath—

Amendments to the motion for an address in reply to the Governor's speech: pp. 46-49.

Externment of some office bearers of Bhagatpur Cha Sramik Union, Jalpaiguri: (Q.) pp. 140-41.

Market Fund, Jalpaiguri: (Q.) p. 188.

De, Sj. Kanai Lal—

Amendments to the motion for an address in reply to the Governor's speech: pp. 64-67.

Small development projects recommended by the Development and Irrigation Board, Bankura: (Q.) p. 234.

Dispersal scheme: (Q.) p. 239.

General discussion of the supplementary estimate for 1950-51: pp. 158-59.

Political pension granted to political sufferers of Bankura district: (Q.) p. 288.

The West Bengal Prohibition of Smoking in Show Houses and Public Halls Bill, 1950: pp. 118-19.

Dispersal scheme: (Q.) p. 239.

Diversion of lands from paddy to jute: (Q.) p. 290.

Dutt-Mazumdar, The Hon'ble Niharendu—

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Bill, 1950: pp. 206-207.

The Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950: p. 227.

The Cooch Behar (Assimilation of State Laws) Bill, 1950: pp. 210-12, 217-18, 226.

The Criminal Procedure (West Bengal Amendment) Bill, 1950: pp. 207-209.

The Criminal Procedure (West Bengal Second Amendment) Bill, 1950: pp. 209-10.

General discussion of the supplementary estimate for 1950-51: pp. 156, 162-63, 166-67, 169.

The Legislative Assembly of West Bengal (Removal of Disqualifications) Bill, 1950: p. 127.

On a member's right to speak when a motion is in the process of being put to vote: pp. 295-96.

On the point of order arising out of an Hon'ble Minister not answering certain supplementary question: p. 293.

Dutt-Mazumdar, the Hon'ble Niharendu—*concld.*

Objecting to the statement made by Janab Syed Badrudduja regarding food crisis in Berhampore, Murshidabad, without notice and without the consent of the Leader of the House: pp. 254-55.

Takes oath: p. 1.

The West Bengal Security (Amendment) Bill, 1950: pp. 274, 282-83.

East Bengal Refugees and their Rehabilitation: (Q.) pp. 242-43.

East India Electric Supply and Traction Co., Chinsura: (Q.) pp. 142-43.

Eden Gardens—

Industrial Exhibition in—, Calcutta: (Q.) p. 114.

Ejectment suits instituted in the Rent Controller's Court, Calcutta: (Q.) p. 151.

Establishment of a municipality at Alipur Duars, Jalpaiguri: (Q.) p. 152.

Extension of time for submission of report of the rule-making committee: pp. 257-60.

Externment—

Of four workers of Kulti from four industrial districts: (Q.) pp. 99-100.

Externment of some office bearers of Bhagatpur Cha Sramik Union, Jalpaiguri: (Q.) p. 140.

Ganguli, Sj. Bepin Behari—

Barasat-Basirhat Light Railway: (Q.) p. 184.

Conservancy service and water-supply arrangements of the Hooghly-Chinsura Municipality: (Q.) p. 139.

District Procurement Agents in Basirhat area: (Q.) p. 113.

Ejectment suits instituted in the Rent Controller's Court, Calcutta: (Q.) p. 151.

Memorandum to the Hon'ble Prime Minister of India by the Joint Secretary, Sundarban Praja Mangal Samity: (Q.) p. 188.

Money deposited by tenants in the Rent Control Offices of Calcutta and its suburbs: (Q.) p. 149.

Roads and conservancy arrangements in the Hooghly-Chinsurah municipality: (Q.) p. 138.

Smuggling in the south-eastern border of West Bengal: (Q.) p. 181.

Supersession of the Hooghly-Chinsurah Municipality: (Q.) p. 107.

Survey and settlement in connection with redistribution of boundaries in the district of Nadia: (Q.) pp. 251-52.

Ghosh, Sj. Bimal Kumar

The Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950: p. 307.

East Bengal Refugees and their rehabilitation: (Q.) pp. 242-43.

Extension of time for submission of report of the rule-making committee: p. 257.

Point of order raised by—on an Hon'ble Minister not answering certain supplementary questions: pp. 292-94.

Point of privilege raised by—regarding the shortness of time within which to put in amendments to the clauses of some important Bills which were being introduced at very short notice: pp. 54-55.

The West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950: pp. 313-18.

Government advertisements—

Newspapers publishing—: (Q.) pp. 245-46.

Governor, His Excellency the—

Arrival of—into the Chamber: p. 2.

Speech by—under Article 176 of the Constitution of India: pp. 2-6.

Haldar, Sj. Kuber Chand—

Amendments to the motion for an address in reply to the Governor's speech: pp. 26-27.

Hooghly-Chinsurah—

Supersession of the—municipality. (Q.) p. 107.

Conservancy service and water-supply arrangements of the—municipality: (Q.) p. 11.

Roads and conservancy arrangements in the—municipality: (Q.) pp. 138-39.

Husan Ara Begum, Janab—

Amendments to the motion for an address in reply to the Governor's speech: pp. 61-64.

Incidents in Berhampore, Murshidabad—

Narrated by Janab Syed Badrudduja regarding food crisis, stoppage of rations, high price of rice, indiscriminate arrests, extortions and tortures by the Police connected with procurement of foodgrains: pp. 252-54.

Industrial Exhibition in Eden Gardens, Calcutta: (Q.) p. 114.

Inspector of Police, Calcutta—

Sj. Himansu Kumar Gupta, —: (Q.) pp. 100-101.

Jalpaiguri—

Externment of some office bearers of Bhagatpur Cha Sramik Union, —: (Q.) p. 140.

Supply of sugar in the rural areas of—district: (Q.) pp. 109-10.

Market places and Market Fund in the khas mahal area, —district: (Q.) pp. 250-51.

Kanchrapara Training Camp—

Appointment of the Assistant Commandant at—of West Bengal National Volunteer Force: (Q.) p. 113.

Kesoram Cotton Mills, Ltd.—

Sales tax assessment of Messrs.—: (Q.) p. 184.

Khuda Bukhsh, Janab Md.—

Amendments to the motion for an address in reply to the Governor's speech: pp. 12, 29-33, 61, 90.

Arrest of Sj. Jyoti Basu under the Preventive Detention Act of 1950: pp. 1, 2.

Demand for Grant No. 51A—Territorial and political pensions: p. 200.

East India Electric Supply and Traction Co., Chinsura: (Q.) p. 143.

General discussion of the supplementary estimate for 1950-51: pp. 167, 169.

The Legislative Assembly of West Bengal (Removal of Disqualifications) Bill, 1950: pp. 125-28.

Motion for an address in reply to the Governor's speech: p. 8.

On the point of order raised by Sj. Sibnath Banerjee pointing out certain irregularities in the presentation of the supplementary estimate for 1950-51: p. 154.

On the statement made by Janab Syed Badrudduja regarding food crisis in Berhampore, Murshidabad: p. 255.

Point of privilege raised by—objecting to the Chief Minister and the Leader of the House answering questions sitting: pp. 249-50.

Roads and conservancy arrangements in the Hooghly-Chinsura municipality: (Q.) p. 139.

Supplementary estimate for 1950-51. Dmand for Grant No. 40—Agriculture: pp. 192-93.

The West Bengal Clinical Establishments Bill, 1950: p. 220.

The West Bengal Disturbances Commission of Enquiry Bill, 1950: p. 131.

The West Bengal Prohibition of Shoking in Show Houses and Public Halls Bill, 1950: pp. 117, 139.

Kurseong—

Complaint against the present Civil Medical Officer, —: (Q.) pp. 103-104.

Leave of absence—

Application for—from Shri Jyoti Basu: p. 117.

Mahammad Sayeed Mia, Janab—

Amendments to the motion for an address in reply to the Governor's speech: pp. 12-13, 39-40, 90.

Majhi, Sj. Nishapati—

Amendments to the motion for an address in reply to the Governor's speech: pp. 27-29.

Majumdar, the Hon'ble Bhupati—

Appointment of the Assistant Commandant at Kanchrapara Training Camp of West Bengal National Volunteer Force: (Q.) pp. 113-14.

Demand for Grant No. 50—Civil Works and 81—Capital Account of Civil Works outside the Revenue Account: pp. 195-97.

Small development projects recommended by the Development and Irrigation Board, Bankura: (Q.) pp. 234-35.

Supplementary estimate for 1950-51: pp. 195-97.

The West Bengal National Volunteer Force (Amendment) Bill, 1950: pp. 266-68.

The West Bengal Security (Amendment) Bill, 1950: p. 280.

Mal, Sj. Iswar Chandra

Takes oath: p. 1.

Mallick, Sj. Ashutosh (Deputy Speaker)—

Extension of time for submission of report of the rule-making committee: p. 257.

Mandal, Sj. Umesh Chandra—

Amendments to the motion for an address in reply to the Governor's speech: p. 12.

Demand for Grant "Loans and advances bearing interest": p. 204.

Supplementary estimate for 1950-51: p. 204.

Market Fund, Jalpaiguri: (Q.) p. 188.

Market places and Market Fund in the khas mahal area, Jalpaiguri district: (Q.) pp. 250-51.

Memorandum to the Hon'ble Prime Minister of India by the Joint Secretary, Sundarban Praja Mangal Samity: (Q.) pp. 188, 288-89.

Message from His Excellency the Governor—

Acknowledging the address presented in reply to his speech: p. 252.

Milk supply—

Schemes for improvement of —in the State: (Q.) p. 236.

Mitra, Srijukta Kalyani—

Appointment of—to act as Chief Inspector for Women's Education, West Bengal: (Q.) pp. 145-49.

Mitra, Sj. Tarak Nath—

Allegation against—witness in the case Emperor *versus* Wasil Khan and others: (Q.) p. 103.

Mohamad Rafique, Shaikh—

Industrial Exhibition in Eden Gardens, Calcutta. (Q.) p. 114

Point of privilege requesting the supply of the agenda for the day, questions and answers, etc., at the members' houses in the morning. p. 116.

Mondal, Sj. Annada Prosad—

Amendments to the motion for an address in reply to the Governor's speech: pp. 13-15.

Money deposited by tenants in the Rent Control Offices of Calcutta and its suburbs: (Q.) p 149.

Mookerji, the Hon'ble Kalipada—

Amendments to the motion for an address in reply to the Governor's speech: pp. 70-74.

The Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950: pp. 226-27, 230.

Motion—

For an address in reply to the Governor's speech: pp 7-10.

Mudassir Hossain, Janab—

Amendments to the motion for an address in reply to the Governor's speech. pp. 12, 57-61, 89-90

The Bengal (Rural) Primary Education (West Bengal Amendment) Bill, 1950: pp. 261-63.

Extension of time for submission of report of rule-making committee: pp. 257-58.

On the point raised by Janab Md. Khuda Bukhsh objecting to the Chief Minister answering questions sitting: p. 250.

The West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950: p. 321.

The West Bengal Security (Amendment) Bill, 1950: pp. 270-71.

Mufassal municipalities—

Roads in the—: (Q.) pp. 137-38.

Muhammad Idris, Janab—

Amendments to the motion for an address in reply to the Governor's speech: pp. 13, 44-46, 91.

East Indian Electric Supply and Traction Co., Chinsura: (Q.) p. 142.

Municipality, supersession of the Hooghly-Chinsurah: (Q.) p. 107.

Murarka, Sj. Basantlal—

Amendments to the motion for an address in reply to the Governor's speech: pp. 43-44.

Nadia—

Survey and settlement in connection with redistribution of boundaries in the district of—. (Q.) pp. 251-52.

Nandy, Maharaja Sris Chandra, of Cossimbazar—

Diversion of lands from paddy to jute: (Q.) p. 290.

Roads in the mafassal municipalities: (Q.) p. 137.

Schemes for improvement of milk supply in the State: (Q.) p. 236.

Naskar, The Hon'ble Hem Chandra—

Demand for Grant No. 10—Forest: p. 175.

Supplementary estimate for 1950-51: p. 175.

Newspapers publishing Government advertisements: (Q.) pp. 245-47.

Oath: p. 1.

Ordinance(s)—

Laying before the Assembly the Bengal Finance (Sales Tax) (West Bengal Amendment)—, 1950: p. 93.

Laying before the House the Calcutta Municipal (Amendment)—, 1950: p. 92.

Laying before the Assembly the Indian Red Cross Society (Bengal Branch) (Amendment)—, 1950: p. 93.

Laying before the Assembly the West Bengal Collective Fines—, 1950: p. 93.

Laying before the Assembly the West Bengal Dental Board—, 1950: p. 92.

Laying before the Assembly the West Dinajpur Union Boards—, 1950: p. 92.

Laying before the House the West Bengal Disturbances Commission of Enquiry—, 1950: p. 92.

Laying before the Assembly the West Bengal Security (Amendment)—, 1950: p. 93.

Laying before the Assembly the Legislative Assembly of West Bengal (Removal of Disqualifications)—, 1950: p. 92.

Laying before the Assembly the West Bengal Security (Second Amendment)—, 1950: p. 93.

Panel of Chairmen: p. 1.

Panja, the Hon'ble Jadabendra Nath—

The Calcutta Municipal (Second Amendment) Bill, 1950: pp. 133-34.

Conservancy service and water-supply arrangements of the Hooghly-Chinsura municipality: (Q.) p. 139.

Establishment of a municipality at Alipur Duars, Jalpaiguri: (Q.) pp. 152-53.

Roads and conservancy arrangements in the Hooghly-Chinsura municipality: (Q.) pp. 138-39.

Roads in the mufassal municipalities: (Q.) pp. 137-38.

Supersession of the Hooghly-Chinsurah municipality: (Q.) p. 107.

The 24-Parganas District Board Dissolution (Temporary Provisions) (Second Amendment) Bill, 1950: p. 136.

The West Bengal District Boards (Second Amendment) Bill, 1950: pp. 135-36.

The West Bengal Fire Services (Amendment) Bill, 1950: p. 135.

The West Dinajpur Union Boards Bill, 1950: pp. 134-35.

Point of order—

Arising out of an Hon'ble Minister not answering certain supplementary questions: pp. 292-94.

Pointing out some irregularities in the presentation of the supplementary estimate for 1950-51: pp. 153-55.

Point of privilege—

For the allotment of non-official days: pp. 298-301.

Regarding the shortness of time within which to put in amendments to the clauses of some important Bills which were being introduced at very short notice: pp. 54-55.

Raised by Sj. Sibnath Banerjee to request His Excellency to listen to the members observations on His Excellency's speech: pp. 6-7.

Raised by Shri Sibnath Banerjee requesting the supply of the agenda for the day, questions and answers, etc., at the members' houses in the morning: pp. 115-16.

Political pension granted to political sufferers of Bankura district: (Q.) p. 288.

Prorogation—

Of the Assembly, Session (September), 1950, commencing on the 25th September and ending on the 6th October: p. 327.

Rai, Sj. Shee Kumar—

Amendments to the motion for an address in reply to the Governor's speech: pp. 15-16.

Complaint against the present Civil Medical Officer, Kurseong: (Q.) pp. 103-104.

Demand for Grant No. 29—Police: pp. 179-80.

General discussion of the supplementary estimate for 1950-51: pp. 157-58.

Supplementary estimate for 1950-51: pp. 153-55.

The West Bengal Prohibition of Smoking in Show Houses and Public Halls Bill, 1950: p. 119.

Refugees—

East Bengal—and their rehabilitation: (Q.) pp. 242-43.

Rent Control Officer—

Money deposited by tenant in the—of Calcutta and its suburbs: (Q.) p. 149.

Rent Controller's Court, Calcutta—

Ejectment suits instituted in the—: (Q.) p. 151.

Resignation—

Of Sj. Hemanta Kumar Basu: p. 1.

Roads in the mufassal municipalities: (Q.) pp. 137-38.

Roads and conservancy arrangements in the Hooghly-Chinsura municipality: (Q.) pp. 138-39.

Roy, The Hon'ble Dr. Bidhan Chandra—

Allegation against Sj. Paresh Nath Mitra, witness in the case Emperor versus Wasil Khan and others: (Q.) p. 103.

Alleged Police assault on Sri Dayaram Beri, Vice-President, I.N.T.U.C., (Q.) pp. 182-83.

Amendments to the motion for an address in reply to the Governor's speech: pp. 79-89.

Arrest of G. C. Ghosh Choudhury, Assistant Station Master, Katwa: (Q.) p. 101.

Arrest of persons for postering for a proposed public meeting at Sradhananda Park, Calcutta: (Q.) p. 247.

Barasat-Basirhat Light Railway: (Q.) p. 184.

The Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1950: pp. 301-303, 307.

The Bengal Shops and Establishments (West Bengal Amendment) Bill, 1950: p. 228.

Roy, The Hon'ble Dr. Bidhan Chandra—*contd.*

Complaint of assault, by Sudhansu Shekhar Mukherjee of 89A, Ballygunj Gardens, Calcutta: (Q.) pp. 183-84.

Complaint against the present Civil Medical Officer, Kurseong: (Q.) pp. 104-107.

The Contingency Fund of West Bengal Bill, 1950: p. 324.

Damodar Press, Burdwan: (Q.) pp. 190-92.

Demand for Grant No. 40—Agriculture: p. 193.

Demand for Grant No. 50—Civil Works and 81—Capital Account of Civil Works outside the Revenue Account: pp. 198-99.

Demand for Grant No. 43—Industries—Industries: pp. 194-95.

Demand for Grant No. 57—Miscellaneous—Expenditure on refugees: pp. 200-202.

Demand for Grant No. 29—Police: pp. 175-78.

Demand for Grant No. 30—Ports and Pilotage: p. 192.

Demand for Grant No. 54A—Territorial and political pensions: pp. 199-200.

East Bengal refugees and their rehabilitation: (Q.) p. 243.

Externment of four workers of Kulti from four industrial districts: (Q.) pp. 99-100.

Externment of some office bearers of Bhagatpur Cha Sramik Union, Jalpaiguri: (Q.) pp. 140-41.

General discussion of the supplementary estimate for 1950-51: pp. 157-58, 161, 164, 169-71.

Sj. Himansu Kumar Gupta, Inspector of Police, Calcutta: (Q.) p. 101.

The Indian Red Cross Society (Bengal Branch) Amendment Bill, 1950: pp. 285-87.

Industrial Exhibition in Eden Gardens, Calcutta: (Q.) pp. 114-15.

The Legislative Assembly of West Bengal (Removal of Disqualifications) Bill, 1950: pp. 123, 125-26, 130.

Motion for an address in reply to the Governor's speech: pp. 7-8.

Newspapers publishing Government advertisements: (Q.) pp. 246-47.

On the point raised by Janab Md. Khuda Bukhsh objecting to his answering questions sitting: pp. 249-50.

On the point of order arising out of an Hon'ble Minister not answering certain supplementary questions: pp. 293-94.

Roy, The Hon'ble Dr. Bidhan Chandra—*concld.*

On the point of privilege for the allotment of days for non-official business: p. 299.

On the statement made by Janab Syed Badrudduja regarding the food crisis in Berhampore, Murshidabad, pp. 253-55.

Point of privilege requesting the supply of the agenda for the day, questions etc., at the members' house in the morning: p. 116.

Smuggling in the south-eastern border of West Bengal: (Q.) p. 181.

Supplementary estimate for 1950-51: pp. 153-55.

The West Bengal Appropriation (No. 2) Bill, 1950: pp. 325-26.

The West Bengal Clinical Establishments Bill, 1950. pp. 119-20, 122.

The West Bengal Collective Fines Bill, 1950 pp. 264-66.

The West Bengal Dental Board Bill, 1950 p. 122.

The West Bengal Disturbances Commission of Enquiry Bill, 1950: pp. 130-31.

The West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1950: pp. 311-12, 315.

The West Bengal Prohibition of Smoking in Show Houses and Public Halls Bill, 1950. pp. 94, 118-19.

The West Bengal Security (Amendment) Bill, 1950. pp. 268-69, 272, 275-80, 284.

Roy, Sj. Jajneswar—

Establishment of a municipality at Alipur Duars, Jalpaiguri: (Q.) p. 152.

Market places and Market Fund in the khas mahal area, Jalpaiguri district: (Q.) pp 250-51.

Supply of sugar in the rural areas of Jalpaiguri district: (Q.) pp. 109-10.

Roy Singh Sarker, Sj. Satish Chandra—

Amendments to the motions for an address in reply to the Governor's speech: pp. 12, 40-42.

Rule(s)—

Laying before the Assembly of amendments to the Bengal Motor Vehicles —, 1940: p. 93.

Laying before the Assembly—framed under the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950: p. 93.

Rule-making Committee—

Extension of time for submission of report of the—: pp. 257-60.

Personnel of—: pp. 259-60.

Ruling—

By Mr. Speaker on a member's right to speak when a motion is in the process of being put to vote: pp. 295, 297-98.

By Mr. Speaker on the point of order raised by Sj. Sibnath Banerjee pointing out certain irregularities in the presentation of the supplementary estimate for 1950-51: p. 154.

By Mr. Speaker on the point of privilege raised by Sj. Bimal Chandra Ghose regarding the shortness of time within which to put in amendments to the clauses of some important Bills which were being introduced at very short notice: pp. 67-68, 70.

Sales tax assessment of Messrs. Kesoram Cotton Mills, Ltd.: (Q.) p. 184.

Sarker, The Hon'ble Nalini Ranjan

Amendments to the motion for an address in reply to the Governor's speech: pp. 74-76.

The Bengal Electricity Duty (West Bengal Amendment) Bill, 1950: pp. 205-206.

Demand for Grant No. 43—Industries—Cinchona: p. 195.

Demand for Grant No. 43—Industries—Industries, etc.: pp. 193-95.

Demand for Grant "Loans and advances bearing interest" pp. 204-205.

Demand for Grant No. 57—Miscellaneous—Miscellaneous: p. 200.

Demand for Grant No. 64C—Prepartition paments: p. 203.

Demand for Grant "Transfer to Contingency Fund of West Bengal": p. 204.

East India Electric Supply and Traction Co., Chinsura: (Q.) pp. 142-44.

General discussion of the supplementary estimate for 1950-51: pp. 171-72.

Political pension granted to political sufferers of Bankura district: (Q.) p. 288.

Sales tax assessment of Messrs. Kesoram Cotton Mills, Ltd.: (Q.) pp. 184-88.

Supplementary estimates of expenditure for 1950-51: pp. 132-33.

Schemes for improvement of milk supply in the State: (Q.) p. 236.

Sen, Sj. Debendra Nath—

Alleged Police assault on Shri Dayaram Beri, Vice-President, I.N.T.U.C.: (Q.) pp. 181-82.

Sen, The Hon'ble Prafulla Chandra—

Amendments to the motion for an address in reply to the Governor's speech: pp. 76-79.

Sen, The Hon'ble Prafulla Chandra—*concld.*

District Procurement Agents in Basirhat area: (Q.) p. 113.

Demand for Grant No. 40—Agriculture: pp. 192-93.

Diversion of lands from paddy to jute: (Q.) pp. 290-91.

Schemes for improvement of milk supply in the State: (Q.) pp. 236-37.

On the statement made by Janab Syed Badrudduja regarding food crisis in Berhampore, Murshidabad: pp. 256-57.

Supplementary estimate for 1950-51: p. 192-93.

Supply of sugar in the rural areas of Jalpaiguri district: (Q.) pp. 110-12.

Sinha, The Hon'ble Bimal Chandra

Money deposited by tenants in the Rent Control offices of Calcutta and its suburbs: (Q.) pp. 149-50.

Small development projects recommended by the Development and Irrigation Board, Bankura: (Q.) p. 234.

Smuggling in the south-eastern border of West Bengal: (Q.) p. 181.

Speaker, Mr.—

Amendments to the motion for an address in reply to the Governor's speech. pp. 11-12, 17, 23-24, 43, 49, 53-55, 66-68.

Application for leave of absence from Shri Jyoti Basu: p. 117.

Arrest of Sj. Jyoti Basu under the Preventive Detention Act of 1950: pp. 1-2.

Attendance of Sj. Jyoti Basu in detention: pp. 97-98.

Demand for Grant No. 40—Agriculture: p. 193.

Demand for Grant No. 50—Civil Works and 81—Capital Account of Civil Works outside the Revenue Account: pp. 196-97, 199.

Demand for Grant No. 7—Land Revenue: pp. 173-74.

Demand for Grant "Loans and advances bearing interest": p. 204.

Demand for Grant No. 57—Miscellaneous—Expenditure on refugees: pp. 202-203.

Extension of time for submission of report of the rule-making committee: pp. 258-59.

General discussion of the supplementary estimate for 1950-51: pp. 156-58, 160-65, 167, 169-72.

The Legislative Assembly of West Bengal (Removal of Disqualifications), Bill, 1950: pp. 124, 126-29.

INDEX.

Speaker, Mr.—*concld.*

Motion for an address in reply to the Governor's speech: pp. 7-10.

Observations by—on the point raised by the Hon'ble Rai Harendra Nath Chaudhuri objecting to the statement made by Janab Syed Badrudduja regarding food crisis in Berhampore, Murshidabad without notice: pp. 253-56.

On the point of order raised by Sj. Bimal Chandra Ghose for an Hon'ble Minister not answering certain supplementary questions: pp. 292-94.

Point of privilege raised by Sj. Bimal Comar Ghose regarding the shortness of time within which to put in amendments to the clauses of some important Bills which were being introduced at very short notice: pp. 67-68.

Point of privilege raised by Sj. Sibnath Banerjee for the allotment of non-official days: pp. 298-301.

On the point of privilege raised by Sj. Sibnath Banerjee to request His Excellency to listen to the members' observations on His Excellency speech: p. 7.

Point of privilege requesting the supply of the agenda for the day, questions and answers, etc., at the members' houses in the morning: pp. 116-17.

On the point raised objecting to the Chief Minister answering questions sitting: pp. 249-50.

Ruling by—on the point of order raised by Sj. Sibnath Banerjee pointing out certain irregularities in the presentation of the supplementary estimates for 1950-51: p. 154.

Sudhansu Shekhar Mukherjee—

Complaint of assault, by—of 89A, Ballygunge Gardens, Calcutta: (Q.) p. 183.

Sunderban Praja Mangal Samity—

Memorandum to the Hon'ble Pr Minister by the Joint Secretary, (Q.) pp. 188, 288-89.

Supersession of the Hooghly-Chinsu municipality: (Q.) p. 107.

Supplementary estimates of expendit for 1950-51: pp. 132-33.

Supplementary estimate for 1950-5

General discussion: pp. 153-72.

Supply of sugar in the rural areas Jalpaiguri district: (Q.) pp. 1 110.

Survey and settlement in connection w redistribution of boundaries in district of Nadia: (Q.) pp. 251-5

Tenants—

Money deposited by—in the R Control offices of Calcutta and suburbs: (Q.) p. 149.

Vice-President, I.N.T.U.C.—

Alleged Police assault on Shri Dayal Beri, —: (Q.) pp. 181-82.

Walker, Mr. J. R.—

Amendments to the motion for address in reply to the Governo speech. pp. 42-43.

West Bengal National Volunteer Forc

Appointment of the Assistant Co mandant at Kanchrapara Train Camp of—: (Q.) p. 113.

WBGP-54/5-3104A-350